

widows of Civil War soldiers; to the Committee on Invalid Pensions.

5836. By Mr. KVALE: Petition of Otto Trulson and 57 residents of Willmar, Minn., protesting against enactment of the Lankford Sunday observance bill; to the Committee on the District of Columbia.

5837. Also, petition of Albin Larson and 10 residents of Murdock and Kerkhoven, Minn., protesting against enactment of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

5838. Also, petition of the Minneapolis Central Labor Union, protesting against enactment of House bills 3748, 4489, 5585, and 6528; to the Committee on Immigration.

5839. Also, petition of the administrative committee of the senate of the University of Minnesota, urging a reduction of the present tariff on scientific instruments imported to the United States; to the Committee on Ways and Means.

5840. Also, petition of A. D. Countryman and several residents of Appleton, Minn., urging that immediate action be taken to pass Civil War legislation for the relief of veterans and widows of veterans; to the Committee on Invalid Pensions.

5841. By Mr. LANHAM: Petition of Mr. and Mrs. T. W. Brown, Mr. and Mrs. W. B. James, and others, protesting against the enactment of House bill 10311 and Senate bill 4821; to the Committee on the District of Columbia.

5842. By Mr. LEATHERWOOD: Petition of qualified voters of Salt Lake City, Utah, recommending the passage of the Elliott pension bill; to the Committee on Invalid Pensions.

5843. By Mr. MAJOR: Petition of certain citizens of Springfield, Mo., urging passage of pension bill for the relief of needy and suffering Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5844. By Mr. MICHAELSON: Petition protesting against House bill 10311 and similar legislation, from certain citizens of Chicago; to the Committee on the District of Columbia.

5845. By Mr. MORROW: Petition of Alamogordo Commercial Club, Alamogordo, N. Mex., indorsing House bill 15480, and Senate companion bill, granting certain lands to the agricultural college for experimental purposes; to the Committee on the Public Lands.

5846. By Mr. ROMJUE: Memorial of John C. Leer and other citizens of Marion County, Mo., opposing the enactment of House bill 10311, or any similar measure; to the Committee on the District of Columbia.

5847. By Mr. ROWBOTTOM: Petition of Luther Hall and others, of Vanderburgh County, Ind., that the bill increasing Civil War widows' pensions be enacted into law at this session of Congress; to the Committee on Invalid Pensions.

5848. Also, petition of Emma Walla, Ade Wallace, and others, of Evansville, Ind., that the Civil War pension bill increasing the widows' pension be enacted into law at this session of Congress; to the Committee on Invalid Pensions.

5849. By Mr. SINNOTT: Petition of certain citizens of La Grande, Oreg., protesting against the enactment of House bill 10311, the Sunday enforcement bill; to the Committee on the District of Columbia.

5850. Also, petition of certain citizens of Baker County, Oreg., urging further relief legislation for veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

5851. By Mr. STRONG of Kansas: Petition of voters of Clifton, Kans., urging passage of legislation providing increase of pension for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5852. Also, petition of voters of Agenda, Kans., urging passage of legislation providing increase of pension for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5853. Also, petition of voters of Clay Center, Kans., urging passage of legislation providing increase of pension for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5854. By Mr. TAYLOR of West Virginia: Petition of J. M. Epperly and others, of Miami, W. Va., asking for the passage of legislation for the relief of Civil War veterans' widows; to the Committee on Invalid Pensions.

5855. By Mr. TEMPLE: Petition of a number of residents of East Bethlehem, Washington County, Pa., in support of legislation increasing the rate of pension to Civil War veterans and widows of Civil War veterans; to the Committee on Invalid Pensions.

5856. Also, petition of a number of residents of Washington County, in support of the Leatherwood bill (H. R. 12532), which would provide increased rate of pension to Indian war veterans and their dependents; to the Committee on Pensions.

5857. By Mr. TINCHER: Petition of sundry residents of Waldron, Kans., urging the passage of a pension bill for the relief of needy Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5858. By Mr. TOLLEY: Petition of 49 citizens of Binghamton, N. Y., to liberalize Civil War pension laws; to the Committee on Invalid Pensions.

5859. By Mr. UNDERHILL: Petition of Harriet A. Rideout and others, in support of Civil War pension legislation; to the Committee on Invalid Pensions.

SENATE

TUESDAY, February 1, 1927

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Gracious Father, Thou art continuing Thine indulgence toward us. Multiplying as our needs may be, Thou doest for us exceeding abundantly above all that we can ask or think. We beseech of Thee this morning to look upon us graciously, enabling us to fulfill every duty as in Thy sight. May the Lord bless this membership in all its relations and obligations, and glorify Thyself through our country as a people exalted in righteousness. We ask in Jesus Christ's name. Amen.

The Chief Clerk proceeded to read the Journal of yesterday's proceedings when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	Kendrick	Reed, Mo.
Bayard	Fletcher	Keyes	Reed, Pa.
Bingham	Frazier	King	Robinson, Ind.
Borah	George	La Follette	Sackett
Bratton	Gerry	Lenroot	Schall
Broussard	Gillett	McKellar	Sheppard
Bruce	Glass	McLean	Shipstead
Cameron	Goff	McMaster	Shortridge
Capper	Gooding	McNary	Smith
Caraway	Gould	Mayfield	Steck
Copeland	Greene	Means	Stephens
Couzens	Hale	Metcalf	Stewart
Curtis	Harris	Moses	Trammell
Dale	Harrison	Norbeck	Tyson
Deneen	Hawes	Nye	Walsh, Mass.
Dill	Heflin	Oddie	Walsh, Mont.
Edge	Howell	Overman	Warren
Edwards	Johnson	Pepper	Watson
Ernst	Jones, N. Mex.	Phlips	Wheeler
Ferris	Jones, Wash.	Pine	Willis.

The VICE PRESIDENT. Eighty Senators having answered to their names, a quorum is present.

LEGISLATION IN AID OF PROHIBITION

Mr. MAYFIELD. Mr. President, the calendar of the Senate shows that on April 13, 1926, the Senator from Michigan [Mr. COUZENS], on behalf of the Committee on Civil Service, reported House bill 3821. The purpose of this bill is to place under the civil service the personnel of the Treasury Department authorized by section 38 of the national prohibition act.

The calendar shows also that on May 17, 1926, the Senator from Colorado [Mr. MEANS], on behalf of the Committee on the Judiciary, reported Senate bill 4207, the purpose of which is to amend and strengthen the national prohibition act and the act of November 23, 1921, supplemental thereto, and for other purposes.

The calendar further shows that on December 17, 1926, the Senator from Utah [Mr. SMOOT], on behalf of the Committee on Finance, reported House bill 10729, the purpose of which is to create a bureau of customs and a bureau of prohibition in the Department of the Treasury.

These three prohibition measures were reported to the Senate as far back as May 17, 1926. I am sure that at least three-fourths of the membership of this body are in favor of these measures and that we could pass them without any great difficulty if given an opportunity to consider them.

Will the Republican leader advise us if the Senate will have an opportunity to consider these measures at this session of the Congress?

Mr. CURTIS. Mr. President, the first bill referred to by the Senator from Texas is covered in the second measure to which he referred, and it is the intention of the chairman of the Com-

mittee on Finance, the Senator from Utah [Mr. Smoot], to make an effort at the very earliest date possible to take up that measure. The steering committee also, I may state to the Senator from Texas, has placed that measure upon the list for consideration, and it is the intention to get action on it at this session if it is possible to do so.

Mr. MAYFIELD. I am glad to have this information from the Republican leader, but I would like to have him advise us as to the other measure.

Mr. CURTIS. I am very sorry I can not advise the Senator as to the other measure. I am told that there will be considerable opposition to it and that there would be some difficulty in getting it up for consideration.

Mr. MAYFIELD. I understand that there will be considerable opposition to the measure known as the Goff bill.

Mr. CURTIS. That is the one to which I understood the Senator to refer.

Mr. MAYFIELD. But it occurs to me that if the steering committee of the Republican Party were to place the Goff bill before the Senate we would be able to enact it into law at this session of Congress, because I believe that two-thirds of the Members of the Senate are favorable to its passage.

Mr. CURTIS. Personally I am in favor of the measure and shall do all I can to have it considered, but I can not speak for the steering committee, because I am not a member of that committee.

Mr. MAYFIELD. I am glad to know that the Senator from Kansas is in favor of the Goff bill and trust he will use his influence with the steering committee to have the measure considered by the Senate before this session of the Congress adjourns.

Mr. BRUCE. Mr. President, I desire to say that at least one-third of the membership of this body is opposed, and vigorously opposed, to some of the measures referred to, and that we desire to enjoy the privilege of discussing the measures to which we are opposed just as freely and fully as we deem the occasion to require; and especially we wish to have an opportunity for the fullest discussion of the Goff bill, a bill which proposes to invade in the most outrageous manner, as we deem it, the sanctity of the private home, which can not fail to result in anything except outrage and bloodshed.

REPORTS OF PUBLIC UTILITIES IN THE DISTRICT

The VICE PRESIDENT laid before the Senate the following annual reports of public utility companies in the District of Columbia, submitted pursuant to law, which were severally referred to the Committee on the District of Columbia:

Report of the Washington Gas Light Co., together with a list of its stockholders, for the year ended December 31, 1926;

Report of the Washington Interurban Railroad Co. for the year ended December 31, 1926;

Report of the Georgetown & Tennallytown Railway Co. for the 10 months ended October 31, 1926;

Report of the City & Suburban Railway of Washington for the 10 months ended October 31, 1926;

Report of the Washington Railway & Electric Co. for the year ended December 31, 1926; and

Report of the Potomac Electric Power Co. for the year ended December 31, 1926.

PETITIONS AND MEMORIALS

Mr. REED of Pennsylvania. Mr. President, I send to the desk and ask to have referred to the Immigration Committee and printed in the RECORD a petition relative to the continuance of the national-origins feature of the present immigration law. I do not ask to have it read.

There being no objection, the petition was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

Memorial of patriotic societies opposed to repealing the national-origins provision of the immigration act

The undersigned patriotic societies and organizations and individual citizens respectfully submit to the President of the United States, to the Senate, and to the House of Representatives the following memorial with regard to legislation regulating immigration:

We believe the present policy of restricting immigration to the United States embodied in the immigration act of 1924 to be sound in principle, fair to all elements of our population, and necessary to the protection of the people of the United States against excessive and undesirable immigration from foreign countries.

We believe that, aside from the numerical limitation of quota immigration to a fixed number annually, the apportioning of the quotas in accordance with the national origins of our present population is the most important part of the present law, because it gives a just repre-

sentation to the older as well as the newer racial elements of our population and to the descendants of the early settlers and founders of our country.

We believe that this equitable representation is only approximately secured by the 1890 census basis, which was resorted to temporarily by Congress as the readiest available method of carrying out the underlying principle of the entire law, which is nothing more nor less than the preservation of the American people and the American Nation.

In view of the foregoing considerations, we urge upon the President and upon Congress the maintenance of the basic provisions of the immigration act of 1924, and particularly the permanent basis for apportioning the quota immigration in accordance with the national origins of our present population.

Leona Rogers (Mrs. Livingston Rowe) Schuyler, Washington Headquarters Association, president; Sons of Confederate Veterans, Eastern Division, Silas W. Fry, commander; New York State Chapter of the National Society of the Daughters of Founders and Patriots of America, Mary J. Aikenhead (Mrs. Burton H.) Davy, president; Florence G. Finch, regent, Jacobus Roosevelt Chapter, Daughters of the American Revolution; National Society Women Builders of America, Mrs. William Cumming Story; Bowery Mission, Anson O. Baker, secretary; Women's Republican Association of the State of New York, Eleanor G. (Mrs. Charles B.) Goldsborough; Veterans of Foreign Wars of the United States, National Americanization Committee, Walter I. Joyce, director; Old Guard of New York, Walter I. Joyce, quartermaster; Daughters of America, Sadie E. Linkletter, chairman national legislative committee; Daughters of America, Sadie E. Ludlow, State council outside sentinel; Lord's Day Alliance of the United States, Harry L. Bowby, general secretary; Patriotic Order Sons of America, C. B. Helms, chairman national legislative committee; Law and Order Union, D. Braman, president; New York Port Society, Mrs. Charles R. Scarborough; American Defense Society, by Charles Stewart Davison, chairman immigration committee; Dames of the Loyal Legion Society of State of New York, Emma E. R. (Mrs. Casper) Cairns, president; the State Council of the Junior Order of United American Mechanics of the State of New York (Inc.), Franklin S. Faye, secretary; Military Order of the Loyal Legion, New York Commandery, Alex. L. Ward; Grace H. (Mrs. Alfred) Brosseau, president general National Society, Daughters of the American Revolution; Immigration Restriction League (Inc.), William B. Griffith, chairman executive committee; National Council Junior Order of United American Mechanics, John H. Noyes, national legislative committee; Josiah A. Van Orsdel, vice president general, Sons of American Revolution.

Mr. NORBECK presented resolutions adopted by the Hamilton Club, of Chicago, Ill., which were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Resolutions of Hamilton Club of Chicago

Whereas the Hamilton Club of Chicago, located in the commercial metropolis of the great agricultural Middle West, is in a position to realize the importance of agricultural prosperity and stability to the Nation as a whole; and

Whereas we believe that the same Republican statesmanship which has been so successful in solving other problems of national importance can devise a satisfactory solution of the farm problem if it addresses itself seriously to that task: Therefore be it

Resolved by the Hamilton Club of Chicago, That the greatest present challenge to statesmanship is the adoption of a national agricultural policy that will minimize the price-depressing effect of seasonal surpluses of farm commodities and that will bring about a reasonable degree of stability in prices of farm products in the interests of both producer and consumer; be it further

Resolved, That Congress and the administration be reminded of that portion of the 1924 platform of the Republican Party which reads:

"The Republican Party pledges itself to the development and enactment of measures which will place the agricultural interests of America on a basis of economic equality with other industry to insure its prosperity and success"; be it further

Resolved, That the adoption of a national agricultural policy in line with this pronouncement is one of the major issues before the present Congress, and that Congress should not adjourn without taking adequate steps to redeem the promises which were made to the farmers of the Nation in 1924.

Adopted by the board of directors of the Hamilton Club of Chicago at a meeting held on January 24, 1927.

Mr. NORBECK also presented a letter from the Doland Produce Co., of Doland, S. Dak., which was referred to the

Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

DOLAND, S. DAK., January 24, 1927.

HON. PETER NORBECK,

United States Senate, Washington, D. C.

DEAR SIR: Your attention is directed to a recent decision of the Interstate Commerce Commission in Docket No. 15823—a case brought by the Commercial Club of Duluth, Minn., which is to take effect on March 25, 1927, and which would increase the present freight rates on butter, eggs, and dressed poultry, carloads, from Watertown, Aberdeen, Doland, Elkton, Huron, Mitchell, Redfield, and other points in South Dakota to Chicago, Ill.

We own and operate a general produce house in Doland and there purchase poultry, butter, and eggs from farmers in the surrounding territory. The products are assembled at Doland and shipped to Chicago.

In our paying prices to the farmer, we must necessarily take the freight rate into account, and the increase in rates above mentioned, if made effective, will have to be borne by the farmer. In other words, if the present freight rates are advanced as proposed, our paying prices to the farmer will have to be lowered to the extent of the increase in rates.

We are advised that Congress in passing Senate Joint Resolution 107 (more commonly known as the Hoch-Smith resolution) instructed the Interstate Commerce Commission to lower the rates on agricultural products wherever possible, and if this is true, we can not understand why the commission now finds it necessary to raise the rates on eggs, poultry, and butter.

Traffic men, who are in a position to know, tell us that the present rates, if anything, are excessive. In the interest of farmers of the State of South Dakota, we therefore respectfully urge that you investigate this action of the Interstate Commerce Commission, and if consistent, have the commission vacate its order in docket 15823 in so far as it relates to freight rates to Chicago. If this can not be accomplished, then the commission should postpone the effective date of its order pending further hearing. Your cooperation in this matter will be very much appreciated.

Yours very truly,

DOLAND PRODUCE CO.,

By E. G. SORENSON.

Mr. GILLETTE presented a petition numerously signed by sundry citizens of the State of Massachusetts, praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

Mr. WILLIS presented petitions of sundry citizens of Midletown, Ohio, and Covington, Ky., praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

Mr. SHORTRIDGE presented numerous telegrams, letters, and communications in the nature of petitions from sundry citizens and organizations in the State of California, praying for the prompt passage of legislation providing for the Federal Government developing the lower Colorado River by the construction of a dam at Boulder Canyon for flood control, irrigation, and power purposes, which were ordered to lie on the table.

He also presented numerous petitions of sundry citizens of Glendale, Glendora, Long Beach, Los Angeles, Monrovia, Pasadena, Sacramento, San Francisco, Sawtelle, and Tujunga, all in the State of California, praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

Mr. COPELAND presented a resolution adopted by the Cobleskill (N. Y.) Branch of the Dairymen's League Cooperative Association (Inc.), favoring the passage of the so-called Lenroot-Taber milk importation bill, which was ordered to lie on the table.

He also presented a petition of sundry citizens of New York City, N. Y., praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

FEDERAL PROBATION LAW

Mr. COPELAND. Mr. President, I ask to have printed in the RECORD and referred to the Appropriations Committee a telegram from Judge Augustus N. Hand, and also a letter from Henry de Forest Baldwin, relating to the administration of the Federal probation law. I think these will be of interest.

There being no objection, the telegram and letter were referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

NEW YORK, N. Y., January 31, 1927.

HON. ROYAL S. COPELAND,

United States Senate:

I understand that appropriation for probation officers has been dropped by the House. This is a serious blow to administration of probation under the new act which can be of no service here without a paid probation officer and systematic administration. Judges in this district earnestly desire appropriation be made.

AUGUSTUS N. HAND.

NEW YORK, N. Y., January 31, 1927.

HON. ROYAL S. COPELAND,

Senate Chamber, Washington, D. C.

MY DEAR SENATOR: A good many of us were very much interested in the Federal probation law passed in 1925, and are very much concerned on account of the House committee having dropped out of the Budget an appropriation of \$50,000 to pay for probation officers. A probation system without adequate supervision of the convicts placed on probation is, of course, an absurdity. If the probation system is to work satisfactorily, the convicts should be carefully watched and there should be enough probation officers to give them the necessary attention. I understand that the reason given for dropping the appropriation out of the House bill was that there was believed to be a lack of interest on the part of the Federal judges because they had not used the power given them. But I am informed that the reason they did not use the power more fully was because of the lack of probation officers, and there was a lack of probation officers because the Civil Service Commission had not produced eligible lists from which they could be appointed.

Placing convicts on probation is more or less of an experiment. It is useless to carry on an experiment unless it is carried on under favorable conditions. This experiment can not be carried on under favorable conditions unless we have suitable probation officers. In an important matter of this kind, it seems to me that the Federal Government ought to be willing to try the thing our fairly. If, after a fair experiment, it does not work, it is time enough to drop it. The experiment can not succeed without an appropriation and, if the appropriation is made and it does succeed, it will be a very useful feature in the administration of criminal justice. I take the liberty of urging you to do what you can to have the Senate committee restore the appropriation of \$50,000 authorized by the Budget Bureau.

Very truly yours,

HENRY DE FOREST BALDWIN.

POSTAGE ON SECOND-CLASS MAIL MATTER

Mr. ROBINSON of Indiana. I send to the desk and ask to have referred to the Post Office Committee and printed in the RECORD a statement in the nature of a petition with reference to the high rate of postage on second-class mail matter.

There being no objection, the statement was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

To the Members of the Senate and of the House of Representatives of the United States, to be considered in connection with Calendar No. 1291, H. R. 13446:

The high rate of postage on second-class mail has been a strong contributing factor to the mortality among farm papers since 1921.

During that period more than 50 farm papers have gone out of business or have been absorbed by stronger publications. Here is a partial list:

Agricultural Digest	27,534
Alabama Farm Facts	41,770
American Cooperative Journal	58,278
Associated Grower	22,933
Berkshire World	15,434
Better Farming	254,942
California Farmer	53,886
California Poultry Journal	10,112
Cash Crops	60,000
Cloverland Magazine	36,591
Cooperative Packer	14,000
Deutsch Amerikan Farmer	111,402
Farm and Home	620,795
Farm Express	28,000
Farm Stock and Home	92,297
Farmer's Dispatch	146,752
Farmer's Fireside Bulletin	25,994
Globe-Democrat (weekly)	250,072
Home and State	24,750
Illinois Farmer	55,145
Kansas Homestead	51,319
Lincoln Erie Presse	99,384
L. I. Agriculturist	6,850
Maine Farmer	14,500
Milwaukee America	47,491
Missouri Homestead	53,604
National Farmer	47,251
National Farmer and Stock Grower	144,331
National Leader	134,537
Nebraska Farm Journal	100,101
Nevada Farmer	4,825
Northwestern Farming	50,100

Northwest Fruit Grower.....	4,000
Northwest Produce Weekly.....	10,408
Northwest Stockman and Farmer.....	7,850
O. I. C. Swineherd Guide.....	4,000
Oklahoma Farmer.....	129,340
Orchard and Farm.....	44,006
Oregon Country Life.....	35,730
Oregon Grower.....	9,000
Organized Farmer.....	23,935
Outdoor Enterprises.....	10,000
Ozark Countryman.....	18,023
The Producer (Oregon).....	25,000
Southern Farm and Dairy.....	22,288
Toledo Blade (weekly).....	150,000
Western Farmer.....	77,177
Western New York Grower and Granger.....	14,000
White's Berkshire News.....	5,000
Wichita Daily Stockman.....	8,200
Total.....	3,269,194

This represents a reduction in farm-paper circulation of more than 3,250,000 copies a month, or 39,000,000 copies a year.

During the same period other farm papers have been compelled to reduce their frequency of publication, so that the number of copies they issue each month has been decreased by more than 3,000,000, a loss of more than 36,000,000 copies a year. A partial list of these follows:

	Circulation Dec. 31, 1921	Decrease in number of copies mailed each month
Country Gentleman, weekly to monthly.....	891,069	2,673,207
Dairymen's Pr. Reporter, semimonthly to monthly.....	10,761	10,761
Farmer's Home Journal, semimonthly to monthly.....	41,857	41,857
Hoard's Dairymen, weekly to semimonthly.....	94,086	94,086
Michigan Business Farmer, weekly to biweekly.....	51,190	51,190
Minnesota Leader, biweekly to monthly.....	29,000	29,000
Pacific Homestead, weekly to monthly.....	18,304	54,912
Stockman and Farmer, semimonthly to monthly.....	20,211	20,211
Utah Farmer, weekly to semimonthly.....	25,259	25,259
Total.....		3,000,483

The combined total loss in farm-paper circulation from these various causes is more than 75,000,000 copies a year. Less than half of this loss is compensated for by gains in the stronger publications that have survived and that have to some extent profited by the misfortunes of their brethren who were not able to carry the load.

It is reasonably safe to say that the net number of copies of helpful farm papers received each year by American farmers has been reduced by more than 40,000,000 copies, because these 50 or more farm-paper publishers were unable to carry the heavy overhead represented by abnormally high postage rates based on war-time conditions.

While the law of the survival of the fittest has probably operated in this case, we believe it should not be, and we believe it is not the policy of the Government of the United States to deliberately handicap those who are honestly and sincerely struggling to deliver an acceptable service at a profit by laying on them tax burdens they can not bear.

Neither in our judgment is it the policy of the Government to deliberately deprive successful men of reasonable and legitimate profits by absorbing all or most of that profit in unnecessary taxation leveled against that particular class.

The publications of America in general, and the farm papers in particular, represent a definite and direct extension of Government service to the people who support the Government. It is an extension of our educational system to the people who can make the most practical use of the information and advice which is carried to them in these farm papers.

The changes proposed in House bill 13446, reported by Mr. MOSES with amendments, will tend to put the publication business more nearly in a normal condition, without having any serious effect on the revenues of the Government.

FARM LIFE PUBLISHING CO.,
C. A. TAYLOR, President.

BUREAUCRATIC GOVERNMENT

Mr. BINGHAM. Mr. President, I desire to call the attention of the Senate to an article printed in the Nation's Business for February, 1927, by the Senator from Idaho [Mr. BORAH], which brings forth in a very remarkable manner one of the things which seems to me to be most necessary to be considered by the Members of Congress and by the people of the United States.

In one paragraph the Senator from Idaho says:

As a result of well-organized propaganda on one hand and sheer political expediency on the other, we are building up a condition under which every conceivable thing relating to human activity is being given over to regulation by bureaus administered in Washington. This results in waste and inefficiency touching all local or State affairs, which in itself is burdensome and bad enough. But its capital offense is that of

undermining the confidence and destroying the capacity of the citizen to assume and meet the duties and obligations of citizenship.

I ask unanimous consent, Mr. President, that the article may be printed in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Nation's Business, February, 1927]

"We are building up a condition under which every conceivable thing relating to human activity is being given over to regulation by bureaus administered from Washington."

THE CANCER OF TOO MUCH GOVERNMENT

By WILLIAM E. BORAH, United States Senator from Idaho

Back in August, 1924, in Nation's Business, I suggested trying to look ahead 30 years in the light of the tendencies in government during the past 30 years. Unless we call a halt, I said then:

"There will be an officer for every 10 persons in the Republic. Every conceivable activity of mind and body will be under the direction and surveillance of a bureau. Inspectors and spies will leer upon the citizen from every street and corner and accompany him hourly in his daily avocation. Taxes will be a hundred dollars per capita. Forty per cent of the national income will be demanded for public expenses.

"We will still have a Republic in name but a bureaucracy in fact—the most wasteful, the most extravagant, the most demoralizing and deadly form of government which God has ever permitted to torture the human family."

Little has occurred since then to change that unpleasant prospect. It is still the remorseless logic of the present drift of things. It is true there have been several happenings to encourage the belief that an awakening is not wholly impossible. The refusal of the State legislatures to adopt the child labor amendment to the Constitution and the public outburst which thwarted the effort to put through a Federal education bill were what might be called hopeful symptoms.

But the disease is still heavily upon our body politic. Just the other day some of my colleagues were blithely proposing a Federal commission to take over and control professional baseball because they had read that some of the players had been involved in scandalous events. This instance was strikingly illustrative of the difficulty of effectively checking the habit of trying to find a legislative nostrum for every public and private ill.

No one is better aware than I how hard it is to resist the appeals which are made in the name of humanity for the support of some of the legislation to which I refer. It seems flinty-hearted to oppose measures having such meritorious objects—for example, as the abolition of child labor—but the Federal Government is not the agency for such purposes.

The problem is one of public education. The people must be taught that in encouraging the centralization of their affairs in Washington they are digging the grave of the American Government as it was conceived by the Constitution makers.

They must learn that, in looking to the National Capital to cure all their ailments, they are weakening the fiber of true citizenship and destroying the self-reliant spirit of Americanism, without which this Republic can not endure. And we in Congress must stop heeding every little group which, like the tailors of Tooley Street, solemnly petition us as "We, the people of the United States."

We have before us a task worthy of the finest intellects. Our agricultural problem, our transportation question, the regulation of our great natural monopolies, coal and water power, extravagant and corrupt tendencies of government, State and National, the enforcement of law, the protection of human life and property, the bold attempts to debauch the electorate through the profligate use of money—all these cry out for our most serious attention.

It is doubtful whether anyone can recall at any time or in any country so many searching problems, involving industrial welfare and national power, as now confront our people. The question I submit is:

Can we not solve these problems without surrendering or destroying the great underlying principles of our Government? Is this new economic life incompatible with the principles of our Federal Constitution?

As we approach these problems it is most disturbing to encounter on every hand the erroneous belief that the way to meet these new questions is to effectuate some change in the structure of our Government, and thus everybody is proposing a change until the whole structure is impliedly under condemnation.

If some humanitarian cause calls to us from one corner of the country or economic distress sounds a note of alarm from another, those in public life, apparently not knowing what else to do, propose some change in the structure of the Government, some amendment to the Constitution. It is like the case of which Burke spoke when he said: "Politicians who do not understand their trade sell their tools."

But, in my judgment, neither the dictates of humanity on the one hand nor sound principles of national progress on the other demand or require that, in meeting these great and new problems of the twentieth century, we disregard the underlying principles upon which this Gov-

ernment was organized. The organic principles of this Government, wisely applied and lived up to in our national life, will save and serve every interest, spiritual and material, of our people, and enable us as a Nation to reach the highest plane of happiness, prosperity, and power.

Our difficulties and our evils flow not from our form of government but from our failure to appreciate and utilize, according to its great principles, the Government we already have. Time and economic changes may call for a readjustment of the machinery, but the great principles themselves, the cardinal maxims born of toil and travail, of suffering and sacrifice, ought under all circumstances to be sacredly respected and vigilantly preserved. I say sacredly because I believe that upon the preservation of these principles depend the most sacred things of life, liberty, and order and progress, and the physical and moral well-being of millions yet to live.

When we see wrongs which should be righted, evils which should be eradicated, when we see out of our reach new elements of progress which we would enjoy, let us not lightly lay the fault to our form of government or some provision of our great charter; let us, rather, inquire whether the fault lies not with ourselves, with our failure to measure up to the possibilities and to utilize the means ready at hand.

It is easy to attack our Government, but it is far more difficult and it calls for great industry and ability to make wise use of the instruments which have been placed at our disposal. Anyone can inveigh against a provision of the Constitution and offer substitutes based upon speculation and hope, but it requires patience and speculation and sound leadership to apply established principles to a given evil.

The supreme test of statesmanship to-day, it seems to me, is not the constant and reckless tinkering with government, but the intelligent application of the machinery and the principles of government which we have now.

This clamor for change merely for change's sake, this haphazard floundering in legislative affairs, is nowhere and in no way more pronounced than in the gradual but certain destruction of the States and the centering of all governmental power in Washington. In this irresponsible vandalism the disciples of Hamilton and the apostles of Jefferson join hands. No political party in Washington seems willing to stand against this subtle revolution, against this un-American, undemocratic program.

As a result of well-organized propaganda on one hand and sheer political expediency on the other, we are building up a condition under which every conceivable thing relating to human activity is being given over to regulation by bureaus administered from Washington. This results in waste and inefficiency touching all local or State affairs, which in itself is burdensome and bad enough. But its capital offense is that of undermining the confidence and destroying the capacity of the citizen to assume and meet the duties and obligations of citizenship.

PEOPLE'S RIGHTS BEYOND PRICE

The right and authority of the people to manage and control their own affairs of an immediate and local nature, affairs peculiar to the community or the State, is beyond all price. There is nothing for which the people can afford to exchange it. It is the most genuine democratic principle found in our entire structure of government. It means more to the happiness, the dignity, and the power of the people than any other right they are permitted to enjoy. Destroy it and the average citizen becomes the victim of bureaucratic interference, annoyed constantly by its persistent intrusions upon the affairs of his daily life, and burdened by its chronic inefficiency and habitual waste.

If there ever was a real struggle for popular rule and for the preservation of the popular voice in politics and government, it is in this effort to conserve for the people the right to control and administer their local affairs in accordance with local wisdom and local conditions.

Unless we mend our ways there will not be a custom, practice, or habit but must be censured from Washington. There will be nothing in all the relationship of parent and child, of family and home, sufficiently private to exempt it from the furtive eye of a Federal agent. I venture to say that coming generations, when they awake to the deliberate robbery and wanton devastation of their heritage of local self-government and begin to suffer the tortures and burdens of such a system as will follow, will denounce in unmeasured terms those who have spinelessly frittered away their rights.

Local self-government is the citizens' citadel of political power. Dislodged from it, he becomes a mere political tramp, the helpless victim of arbitrary rule.

Local self-government is also the great political university where the average person is trained for the civic obligations which all sooner or later must assume if we are to continue as a Republic. Initiative, a sense of responsibility, political character, patriotism, a feeling that they are a part of the Government, are all born of that daily contact with government which local self-rule alone can furnish.

You can not have a great Federal Union without great Commonwealths upon which that Union may rest. You can not have great Commonwealths without strong, self-reliant, capable men and women. You can not have strong, self-reliant, capable men and women equal to the arduous duties of citizenship without that touch with public affairs, that sense of obligation, that pride in government which springs almost wholly from the activities of the citizen in local affairs.

REPORTS OF THE PUBLIC LANDS COMMITTEE

Mr. STANFIELD, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 11421) to provide for conveyance of certain lands in the State of Alabama for State park and game preserve purposes, reported it with an amendment and submitted a report (No. 1362) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 7921) to authorize the Commission of the General Land Office to dispose by sale of certain public land in the State of Arkansas (Rept. No. 1363);

A bill (H. R. 12889) to relinquish the title of the United States to the land in the claim of Moses Steadham, situate in the county of Baldwin, State of Alabama (Rept. No. 1364); and

A bill (H. R. 15821) to revise the boundary of the Hawaii National Park on the island of Maui in the Territory of Hawaii (Rept. No. 1365).

CHESAPEAKE BAY BRIDGE IN MARYLAND

Mr. STEWART. From the Committee on Commerce I report back favorably two bridge bills, which are in the usual form. The reports thereon are unanimous, and I shall ask unanimous consent for the present consideration of the bills.

I first report from the Committee on Commerce with an amendment in the nature of a substitute the bill (S. 4553) granting the consent of Congress to the Chesapeake Bay Bridge Co. to construct a bridge across the Chesapeake Bay from a point in Baltimore County to a point in Kent County in the State of Maryland, and I submit a report (No. 1360) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the request of the Senator from Iowa?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Commerce was to strike out all after the enacting clause and in lieu thereof to insert:

That the consent of Congress is hereby granted to the said Chesapeake Bay Bridge Co., a corporation organized and existing under the laws of the State of Maryland, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Chesapeake Bay, at a point suitable to the interests of navigation, from a point in Baltimore County, Md., near the mouth of Back River to a point in Kent County, Md., between Rock Hall and Tolchester Beach, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act: *Provided*, That in the interests of national defense, and for the protection of life and property, the Secretary of War is hereby authorized and empowered when, in his judgment, military necessity shall require it, to close said bridge to traffic at such time and during such periods as he may determine.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Maryland, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interests in real property necessary therefor, by purchase or condemnation in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 30 years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value, (2) the actual cost of acquiring such interests in real property, (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property, and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by any municipality or other political subdivision or subdivisions of the State of Maryland under the provisions of section 3 of this act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to amortize the amount paid for such bridge and its approaches as soon as possible under reasonable charges, but within a period of not to exceed 30 years from the date of acquiring the same. After a sinking fund sufficient to amortize the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide

a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 4. The said Chesapeake Bay Bridge Co., its successors and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion cost. The Secretary of War may at any time within three years after the completion of such bridge investigate the actual cost of constructing the same, and for such purpose the said Chesapeake Bay Bridge Co., its successors and assigns, shall make available all of its records in connection with the financing and the construction thereof. The findings of the Secretary of War, as to the actual original cost of the bridge, shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the said Chesapeake Bay Bridge Co., its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure, or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ST. FRANCIS RIVER BRIDGE IN ARKANSAS

Mr. STEWART. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 15011) granting the consent of Congress to the Paragould-Hopkins Bridge road improvement district of Greene County, Ark., to construct a bridge across the St. Francis River, and I submit a report (No. 1361) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLETCHER:

A bill (S. 5546) to amend section 10 of the plant quarantine act, approved August 20, 1912 (with accompanying papers); to the Committee on Agriculture and Forestry.

By Mr. GEORGE:

A bill (S. 5547) to extend the benefits of the United States employees' compensation act to Melvin J. Oppenheim; to the Committee on Claims.

By Mr. DENEEN:

A bill (S. 5548) to credit the accounts of Richings J. Shand, United States property and disbursing officer, Illinois National Guard; to the Committee on Claims.

By Mr. HALE:

A bill (S. 5549) granting an increase of pension to Nancy C. Cunningham (with accompanying papers); to the Committee on Pensions.

By Mr. GLASS (for Mr. SWANSON):

A bill (S. 5550) for the relief of John E. Ross (with accompanying papers); to the Committee on Naval Affairs.

A bill (S. 5551) to remit the duty on a carillon of bells to be imported for the Virginia World War Memorial, Richmond, Va. (with accompanying papers); to the Committee on Finance.

By Mr. CAPPER:

A bill (S. 5552) to authorize the Commissioners of the District of Columbia to compromise and settle certain suits at law resulting from the subsidence of First Street east, in the District of Columbia, occasioned by the construction of a railroad tunnel under said street; and

A bill (S. 5553) amending the act approved August 30, 1890 (Stat. L., vol. 26, pp. 412-413), relative to condemnation of land for parks, parkways, and playgrounds; to the Committee on the District of Columbia.

By Mr. SHORTRIDGE:

A bill (S. 5554) granting an increase of pension to Henry F. Tower; to the Committee on Pensions.

By Mr. DILL:

A bill (S. 5555) granting a pension to Clara M. Roberts; to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 5556) granting an increase of pension to Josephine S. Hall (with accompanying papers); to the Committee on Pensions.

By Mr. BINGHAM:

A bill (S. 5557) to amend section 35 of the organic act approved March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes"; to the Committee on Territories and Insular Possessions.

AMENDMENT TO STATE, JUSTICE, ETC., APPROPRIATION BILL

Mr. BAYARD submitted an amendment proposing to increase the appropriation for all expenses necessary to operate and maintain district and cooperative offices, under the Bureau of Foreign and Domestic Commerce (on page 56, line 7), from \$395,000 to \$505,000, and (on the same page, line 8) to increase the amount which may be expended for personal services in the District of Columbia from \$19,000 to \$25,000, intended to be proposed by him to House bill 16576, the State, Justice, Commerce and Labor Departments appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

TAX REDUCTION

Mr. NORBECK. Mr. President, is morning business closed?

The VICE PRESIDENT. Morning business has not been closed. The Chair lays before the Senate a resolution coming over from a preceding day, which will be read.

The Chief Clerk read the resolution (S. Res. 336) submitted by Mr. HARRISON January 28, 1927, as follows:

Resolved, That it is the sense of the Senate that permanent tax legislation should be enacted during the present session of the Congress, providing for tax reduction sufficient to absorb the surplus in the Treasury resulting from revenue received under the tax laws now in force.

Mr. HARRISON obtained the floor.

Mr. HALE. Mr. President—

Mr. HARRISON. I yield to the Senator from Maine.

Mr. HALE. I take it the Senator from Mississippi intends now to bring up his resolution. I am very anxious to go ahead with the naval appropriations bill if I can do so.

Mr. MOSES. The resolution of the Senator from Mississippi is up under the rule, Mr. President.

The VICE PRESIDENT. The resolution came over from a preceding day under the rule.

Mr. HALE. Does the Senator from Mississippi wish to proceed with the resolution?

Mr. HARRISON. Yes. I have delayed its consideration for two or three days, and I am sure the Senate wishes to vote upon the resolution. Notwithstanding that some intimations have come to me that certain Senators on the other side of the Chamber will attempt to talk the resolution to death, I do not believe it.

Mr. MOSES. Oh, no; that will be done by the Senator from Mississippi himself, Mr. President.

Mr. HARRISON. Well, let us vote on the resolution now.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. FESS. Mr. President, this resolution has never been referred to a committee, has it?

The VICE PRESIDENT. The resolution has not been so referred.

Mr. HARRISON. Of course, the Senator from Ohio has the floor; I yielded the floor because of the suggestion of the Senator from New Hampshire [Mr. MOSES] that I desired to talk the resolution to death. I am anxious to get a vote on the resolution. I am perfectly willing to take a vote upon the resolution now, but if the Senator from Ohio desires to make a motion with reference to it, I should like to occupy the floor for a short time in order to discuss the resolution unless the Senator himself wishes to speak.

Mr. FESS. Mr. President, it will not be possible for us to get a vote on the resolution immediately for the reason that it involves some consideration which some of us on this side of the Chamber are not ready to vote upon until something further shall be said on the resolution. While I have occupied hardly a minute of the time of the Senate in debate at this session, I shall occupy some time if this resolution is now before us for consideration. If the proposal is to vote on the resolution now, I want to occupy some time in its discussion; otherwise I should not do so.

Mr. CURTIS. Mr. President, I wish to appeal to the Senator from Mississippi to allow the resolution to go over. The Sena-

tor from Utah [Mr. Smoot] is sick, as the Senator from Mississippi knows, and the Senator from Utah would like to be here when the resolution is discussed.

Mr. HARRISON. Mr. President, I offered this resolution during the latter part of last week and let it go over twice for the convenience of Senators. I know that one of the arguments which will be advanced against it is that we are approaching the end of the session and that we have not time now to take up general legislation. Of course, the longer its consideration is delayed in this body the stronger will be that argument. I do not see any need for lengthy discussion of the resolution. It is merely an expression of the sense of the Senate on the proposition involved. We have discussed the question of tax reduction for several days. All Senators know how much surplus is in the Treasury. The amount was stated the other night by the President and the Director of the Budget to be practically \$400,000,000—\$383,000,000, I believe, is the exact figure—and the President and the Director of the Budget made a very strong argument why legislation looking to tax reduction should be passed at this time. I should like very much to have the resolution taken up and considered to-day.

Mr. DILL. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Washington?

Mr. HARRISON. I yield.

Mr. DILL. It is very evident that the resolution will be discussed until 2 o'clock. I am very anxious to bring up for consideration, if possible, the conference report on the radio bill, and, if the Senator from Mississippi will let the resolution go over and fix a time to take it up, I think it will probably save time and expedite the consideration of other measures.

Mr. KING. Mr. President, will the Senator from Mississippi yield to me?

Mr. HARRISON. I yield to the Senator from Utah.

Mr. KING. I sincerely hope that the conference report on the radio bill will not be taken up this morning. It is a very important matter; it is a subject of considerable controversy, and I am sure that some Senators will desire to have considerable discussion before that report shall be adopted. Some information, I am advised, will be available within the next day or two which I do not now have that may throw some light on the subject. I appreciate the attitude of my friend the Senator from Washington, and I do not wish to interfere with his desire, but I hope that he will not try to have the conference report considered to-day.

Mr. MOSES. Mr. President, may I propound a question to the Senator from Utah?

Mr. KING. Through the courtesy of the Senator having the floor, I yield.

Mr. MOSES. The floor is occupied, I believe, by the Senator from Ohio [Mr. Fess].

Mr. FESS. I yield.

Mr. KING. I beg the Senator's pardon; I thought the Senator from Mississippi had the floor.

Mr. MOSES. I should like to ask the Senator from Utah if what he has just said about the radio conference report would apply equally to the postage rate bill which I am very anxious to bring before the Senate?

Mr. KING. I think they can very easily be distinguished.

Mr. MOSES. I mean with reference to the amount of time which will be required in discussing them.

Mr. KING. I have no opinion as to that, I may say to the Senator; but I should imagine that the bill to which the Senator now directs attention—calling, as it does, for radical changes in an existing law, and calling for the imposition of burdens upon the Treasury without providing due compensation—will require considerable discussion. I understand that there is a provision in that bill to take away in one item alone approximately from \$15,000,000 to \$17,000,000 of the revenue now derived by the Government. Certainly we will want to discuss that and ascertain where the revenue is to come from to meet the deficit which undoubtedly will occur in the Post Office Department.

Mr. MOSES. I am not prepared to go on with the discussion of the measure now, Mr. President, since it is not before the Senate; but when I may be permitted to bring the bill up I think we can meet any such questions as that as they may arise.

Mr. HARRISON. Mr. President, will the Senator from Ohio yield?

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. FESS. I yield to the Senator from Mississippi.

Mr. HARRISON. It has been suggested that this resolution go over. I am not willing that that shall be done, I may say to the Senator from Ohio and to the Senator from Kansas—although I do not see the Senator from Kansas in the Chamber

at the moment—unless we can enter into an agreement that this afternoon the Senate shall take a recess and that to-morrow when we convene this resolution shall be taken up and a vote be taken on it before 2 o'clock.

Mr. FESS. Mr. President, awaiting the return of the Senator from Kansas, who will be in in a minute, I have only to say that I can not allow a resolution of this character, which has never been referred to the Finance Committee for a report and which involves a principle which is far reaching, to come to a vote until at least I have had an opportunity to say what I have in mind to say, and it is going to take some time.

Mr. HARRISON. Does the Senator wish to proceed now or does he want me to proceed now?

Mr. FESS. It does not matter. If the Senator wishes to proceed on this resolution, with the understanding that I will be given an opportunity to speak on it before a vote is reached, I will be very glad to allow him to proceed.

Mr. MOSES. But, Mr. President, is not the question deeper than that? The Senator from Ohio speaks of having a matter as important as this referred to the appropriate committee. May I ask the Senator to foreshadow his request in that respect? Does he intend to make such a motion?

Mr. FESS. If the Senator from Mississippi insists upon having the resolution considered I shall be compelled to move to have it referred to the committee in regular order, upon which motion I wish to offer some observations.

Mr. HARRISON. I shall insist on the consideration of this resolution without respect to any reference. I am perfectly willing, if we can secure a unanimous-consent agreement, to take a recess this afternoon and vote by 2 o'clock to-morrow, that the resolution go over until to-morrow.

Mr. MOSES. Of course, the Senator would not want to press the consideration of this measure to a final conclusion in the absence of the chairman of the Committee on Finance, I assume.

Mr. HARRISON. I have put the resolution over three days on account of the absence of the chairman of the Finance Committee. I have been as courteous as it was possible to be. I had hoped that the chairman of the committee would be able to be here to-day. He was at the meeting of the Committee on Finance this morning.

Mr. MOSES. Could not the Senator show a little excess of courtesy, then, and let the resolution go over until the Senator from Utah shall be here?

Mr. HARRISON. I am willing to let it go over until to-morrow, if such a unanimous-consent agreement as I have suggested may be entered into.

Mr. MOSES. That is not excess of courtesy; that is courtesy with a string to it, Mr. President.

Mr. DILL. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Washington?

Mr. FESS. I yield to the Senator from Washington.

Mr. DILL. I do not want to seem unduly insistent about the conference report on the radio bill, but I wish to remind the Senate that every day there are new stations being licensed by the department. There are now over 700 stations on the air, and the condition is getting worse every day. I think it is important that the conference report be taken up and considered at the earliest possible date. I recognize, however, that other Senators are interested in the measure and that they may wish to study it somewhat further. So I shall not press for the consideration of the conference report to-day, but to-morrow I hope the Senate will take up the report for consideration.

Mr. WILLIS. Mr. President—

Mr. FESS. I yield to my colleague.

Mr. WILLIS. I want to appeal to the Senator from Mississippi not to press the resolution for consideration at this time, because I can assure him that it will not be possible to have a vote on it before 2 o'clock. There are a number of Senators who want to discuss it—Senators interested in farm-relief legislation. I am sure the Senator does not want to postpone that by trifling away the morning with political speeches, which will be made on both sides of the aisle.

Mr. HARRISON. Let us vote now on this resolution.

Mr. WILLIS. That is not possible, of course. We can not vote now.

Mr. HARRISON. Is the Senator against the resolution?

Mr. WILLIS. I am.

Mr. CURTIS. Mr. President—

Mr. WILLIS. So far as I have the power, I yield to the Senator from Kansas.

Mr. FESS. Mr. President, in order to bring the matter directly before the Senate, I move that the resolution be referred to the Committee on Finance.

Mr. HARRISON. I want to debate that proposition.
The VICE PRESIDENT. The question is on the motion of the Senator from Ohio.

Mr. HARRISON. Have I the floor?

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. FESS. Does the Senator from Mississippi wish to debate my motion?

Mr. HARRISON. Yes.

Mr. FESS. Then I will yield the floor for the purpose of enabling the Senator to debate my motion; and then I shall ask to take the floor again.

The VICE PRESIDENT. The Senator from Mississippi.

Mr. BORAH. Mr. President—

Mr. HARRISON. I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, I thought there was going to be a vote immediately upon the question of reference. I simply wanted to say very briefly why I should vote against referring the resolution.

As I understand this resolution, it does not attempt to commit us to any particular program or to any details as to how the reduction shall take place. If a bill could be worked out which in its reduction effect would affect those who ought to be helped, I think it would be an excellent thing to do.

Mr. MOSES. Mr. President, may I ask the Senator a question?

Mr. BORAH. Yes.

Mr. MOSES. How can the Senator say that this resolution does not commit us to a program when the resolution provides that the sense of the Senate is for tax reduction sufficient to absorb the surplus in the Treasury?

Mr. BORAH. What I meant by committing us to a program was as to the details of the way in which that reduction should be effected. I think a bill could be worked out which would be very desirable—not one of those which is based upon the proposition for remitting to somebody taxes which he has never paid, or which he has collected and will not have to account for, but a tax reduction which would reach those who ought to be relieved.

Mr. MOSES. The users of automobile accessories, for example?

Mr. FESS. Mr. President, if the Senator will yield, assuming that the suggestion of the Senator from Idaho is correct, how can we work out a plan better than to refer the matter to the proper committee and have that committee report back here?

Mr. BORAH. Referring it to the committee means that the committee, of course, will report either favorably or unfavorably on the particular resolution. The committee will not undertake to bring out, in response to this resolution, any detailed plan of reduction. They will simply pass upon the question of the policy. We are only voting here upon the question of whether we believe in tax reduction if that reduction could be effectuated in the way in which it ought to be effectuated.

Mr. COUZENS. Mr. President, will the Senator yield?

Mr. BORAH. Yes.

Mr. COUZENS. I think the Senator is in error in that, because this is not a resolution in favor of a tax reduction. This is a resolution in favor of a tax rebate.

Mr. BORAH. It does not say so.

Mr. COUZENS. Yes; the resolution says, "the surplus in the Treasury," and that has already been paid in.

Mr. HARRISON. May I say to the Senator that it is not the intention of the proponent of the resolution that it should cover that at all. It is intended to cover general legislation to be framed in order to absorb the surplus, not only now but for the future years.

Mr. COUZENS. But if it absorbs the surplus it must be paid in or else there is not any surplus.

Mr. MOSES. The language is:

sufficient to absorb the surplus in the Treasury resulting from revenue received under the tax laws now in force.

Mr. HARRISON. Yes. If this resolution is not in proper form, it is easy to amend it when it is being considered here by the Senate.

Mr. MOSES. No; send it to the committee for that purpose.

Mr. HARRISON. Oh, yes; and bury it.

Mr. BORAH. I do not want to vote for a resolution which seems to indorse the ideas which have been announced heretofore by the administration and upon this floor as to the manner in which the reduction should take place. I do not believe in it. If we are collecting more taxes than we ought to collect, and piling up a surplus, we ought to proceed to the reduction of taxes in a way that would prevent the gathering of a surplus hereafter, and benefit those who ought to be benefited.

I do not understand that the resolution commits us to that program.

Mr. HARRISON. Absolutely not.

Mr. FLETCHER. Mr. President, may I interrupt the Senator? The resolution reads:

providing for tax reduction sufficient to absorb the surplus in the Treasury resulting from revenue received under the tax laws now in force.

That is to say, it shall be such a reduction as will equal or overbalance the amount in the Treasury now in the shape of surplus. The reduction is measured by the extent of that surplus, as I understand. It is a question of the policy of reducing taxes.

Mr. BORAH. I supposed the Senator from Mississippi had in mind the reduction of taxes so that this surplus would not be constantly accumulating.

Mr. HARRISON. Absolutely. That is what the resolution says; and if it is not plain enough we can make it plainer when it is considered here by the Senate.

Mr. MOSES. Mr. President, I suppose the Senator from Mississippi is simply making a political gesture. He knows perfectly well that there is going to be no tax reduction at this session of Congress under any guise. He knows perfectly well that the Senate can not begin any such program, and that any expression of the sense of the Senate is entirely futile.

The Senator from Idaho [Mr. BORAH] has a supposition as to what actuates the Senator from Mississippi. I have one, and I have stated mine. My supposition is that the Senator from Mississippi is making a great political gesture here on the eve of the adjournment of a session of Congress.

Mr. HARRISON. Now I shall proceed with my feeble remarks, after what the Senator has said.

Mr. MOSES. I hope I have given the Senator some impetus in what he is about to say.

Mr. HARRISON. If I was making a gesture, then the President of the United States made a gesture on November 6 of last year when he said he was in favor of this Congress taking up the tax question and giving the taxpayers some relief in the way of tax reduction.

Mr. MOSES. May I ask the Senator a question?

Mr. HARRISON. Not just now. Let me proceed for a few moments.

The minority membership of the other House made every effort during this session of Congress to bring out tax reduction legislation. The fact has been referred to here in the discussion that a petition was circulated among the Democratic membership there, signed also by a few Republican Congressmen, numbering 179 in all, asking for the adoption of an old, antiquated rule in order to discharge the Committee on Ways and Means and bring out a certain bill which had been introduced by the Congressman from Texas, Mr. GARNER. The number who signed was not sufficient and appeals were made to the majority party members in the House to add their names to the petition, that it might receive a sufficient number in order to discharge the committee and bring out the bill. Every effort they have made, persistent as it has been, sincere as every effort was to cooperate with the majority members to write a piece of tax reduction legislation that we could pass and have approved by the President, has failed.

The distinguished Senator from Missouri [Mr. REED] the other day tried to incorporate upon a bill here a proposition that would have given some relief to the taxpayer. He was thwarted in his plans. I made a humble effort to present amendments here, and I, too, was thwarted in my plans.

The Presiding Officer should not be held responsible for that, because he ruled the way he thought to be correct. As I said the other day, the impression went out to the country from the headlines of the papers that the presiding officer, the Vice President, had blocked tax-reduction legislation. That is not true, and I would not have anybody in the country get that impression. It was blocked by the majority leaders here, who interposed the point of order and insisted upon it and tried to stop us.

Here is a resolution to which no point of order can be made. If you could, you would interpose it, but you can not; and so what do you do? You carry out what we said you were going to carry out, namely, the plan of talking it to death or sending it to a committee and burying it there. You do not want a vote upon this proposition, although you have voted upon like resolutions from time immemorial. Resolution after resolution has been presented to this body expressing the sense of the Senate on various questions, and we have voted unanimously for some of them and we have divided upon others.

Only last week by a unanimous vote of the membership of this body we expressed the sense of the Senate with reference

to the matter of arbitration with Mexico. You raised no question then. You did not want to refer that resolution to the committee.

Mr. CURTIS. Mr. President—

Mr. HARRISON. It is true that the committee had considered that proposition before, but it was merely an expression of the sense of the Senate.

I yield to the Senator from Kansas.

Mr. CURTIS. Was not that resolution referred to the committee when it was introduced?

Mr. HARRISON. It went to the committee.

Mr. CURTIS. Yes; and it was reported back. That is what we ask to have done with this resolution.

Mr. HARRISON. That is what I do not want you to do, because this is not quite so complicated. This resolution merely says:

That it is the sense of the Senate that permanent tax legislation should be enacted during the present session of the Congress providing for tax reduction sufficient to absorb the surplus in the Treasury resulting from revenue received under the tax laws now in force.

I hold in my hand innumerable resolutions which have been adopted by the Senate expressing its sense on important questions. The late leader of the Republican Party in this body, the Senator from Massachusetts, Mr. Lodge, offered a resolution here, which was adopted, with reference to peace. The distinguished Senator from Idaho [Mr. BORAH], now chairman of the Committee on Foreign Relations, has had adopted by the Senate resolution after resolution. Many of these resolutions have done good; but you do not want to go on record on the question of tax reduction.

I do not know whether you have gotten the President around to your way of thinking or whether now you have gotten around to the President's way of thinking. I do not know whether the President was sincere or not when he made his statement on the 6th day of November that there ought to be tax legislation at this session of Congress. I know that he made the statement. It was published in every paper in the country, and yet I know that you did not take it up, and when you had an opportunity to vote for it you did not do so.

Mr. MOSES. Mr. President, may I interrupt the Senator?

Mr. HARRISON. Not just now. I will yield presently. You thwarted our plans to carry out that program; and now what do you do, after the leaders in the House and the leaders here evidently in communication with the White House have gotten the President around to their way of thinking?

Here is what the President said the other night—Saturday night, I believe.

Mr. MOSES. Mr. President, before the Senator passes to that, will he let me ask him a question?

Mr. HARRISON. Yes; I yield.

Mr. MOSES. The Senator talks about what the President said on November 6.

Mr. HARRISON. Yes.

Mr. MOSES. What did the President say in his message to Congress one month later?

Mr. HARRISON. He said nothing about it, as he generally does. He makes an expression and then he stops; he does not carry on.

Mr. MOSES. The way to get the views of the President before Congress is in a message.

Mr. HARRISON. Then the Senator does not think the President was sincere when he made that statement on November 6?

Mr. MOSES. Oh, yes; I have the utmost confidence in the sincerity of the President. I have more confidence in the President's sincerity than I have in the sincerity of the Senator from Mississippi, and my confidence in his sincerity is very great.

Mr. HARRISON. Oh, yes; I know how much confidence the Senator has in me.

Mr. WILLIS. Mr. President—

Mr. HARRISON. I will yield in a moment.

Mr. WILLIS. The Senator was giving examples of the adoption of resolutions expressing the sense of the Senate upon various questions. Does he know of any case in which the Senate has adopted a resolution touching a subject over which it has no jurisdiction at all, and over which the other branch of the legislative body is given specific authority, as in the case of revenue bills?

Mr. HARRISON. Why, even the Senator from Ohio himself offered here on one occasion a resolution that was merely expressive of the sense of the Senate. Of course, not many of the Senators on the other side lived up to that expression. The Senator from Ohio afterwards did live up to it in the vote we had the other day on the Smith case; but many of the Senators on the other side did not follow that expression which said

that it is the sense of the Senate that \$195,000 is too much to expend in a senatorial primary, that it disregards the rights of the people, that it is contrary to the principles of government, and is liable to destroy all of our institutions, and so forth. That was simply an expression of the sense of the Senate.

Mr. WILLIS. Precisely; and it was upon a subject over which the Senate had original and appellate jurisdiction. But the Senator is now proposing that the Senate shall pass an opinion upon a subject over which it has no jurisdiction, upon a bill that must originate in the other branch of the legislative body.

Mr. HARRISON. Mr. President, it was argued by some that we had no jurisdiction of the resolution we passed the other day with reference to arbitration with Mexico; that that was a question which should originate with the President and which the State Department should carry through; and the Senator knows that it is not contrary to any practice of the Senate to adopt a resolution such as this, expressing it as the sense of the Senate that there should be a tax reduction bill passed at this time.

Mr. WILLIS. Mr. President, will the Senator further yield just there? Does he know of any case in which the Senate has ever adopted any resolution touching action that should be taken by the other body with reference to a revenue bill?

Mr. HARRISON. I do not know of any analogous case. When President Wilson was in the White House he tried to get the Congress to bring out a tax reduction bill, and the Congress would not do it at that time. The Republican Party was in control then, and naturally you did not want to adopt a resolution saying that it was the sense of the Senate that we ought to have tax reduction at that time. And up until now, whenever we have acquired a surplus in the Treasury, the President has recommended tax reduction, and we have brought out such a bill. If I can get to it, I am going to quote from the utterances of the Director of the Budget on last Saturday evening.

I said the President had changed his views since November 6, when he said he wanted tax reduction. This is what he said the other night, perhaps after a conference with you gentlemen who are opposing this expression. He said:

This year promises a substantial surplus, and we have every hope for a surplus the next year. It is too early to forecast whether or not there can be a further permanent reduction in taxes in the near future.

That is what he said the other night; and yet the Director of the Budget in the speech on the same occasion said:

The surplus at the end of 1922 was \$313,801,651.10, and this on the heels of tax reduction. This surplus, like the others, belonged to the taxpayers and was handed back to them.

How? By a tax reduction bill that was passed by the American Congress. Director Lord continued:

The year 1923 showed a surplus of \$309,657,460.30. The taxpayers got this, too.

The taxpayers got that surplus, too. Why? Because a tax reduction bill was passed in 1924.

We all, as taxpayers, got some of it. The fiscal year 1924 gave us a record surplus—more than half a billion—\$505,366,986.31. That was a very large sum of money to distribute, but it went back to the people who contributed it. And the good work continued. For the next year—1925—notwithstanding another tax-reduction measure, there was a surplus of \$250,505,238.33 for the taxpayer, and he got it.

A little longer time has elapsed between the consideration and passage of tax reduction bills during the Coolidge administration than in other administrations when we passed tax reduction bills; and, with but one exception, there never has been a larger surplus in the Treasury than that of this year. General Lord says it will be \$383,000,000. The chairman of the Appropriations Committee of the House, Mr. MADDEN, says it will be between \$450,000,000 and \$500,000,000. Yet heretofore when a surplus was shown in the Treasury of only \$200,000,000 or \$250,000,000, it was sufficient reason to force through the Congress a permanent tax reduction bill.

We are about to adjourn; we will adjourn on the 4th of March, with no extra session of Congress in sight, no convening of Congress until December 1, with practically \$500,000,000 piled up in the Treasury, and yet you are unwilling to give it back to the taxpayers who paid it and let them have relief at this time.

In the speech over the radio, made by the Director of the Budget on Saturday night, in each case, as he cited it, when there was a surplus shown, he said, we passed tax-reduction legislation and the taxpayers got the benefit of it.

It is plain, it is palpable, that the prophecy we made when the 1926 bill was being considered here has been fulfilled,

namely, that the 1926 tax reduction bill would not absorb a sufficient amount of the surplus which would accumulate, and that we could reduce taxes to a greater extent, as we on this side tried to do. But you on the other side wanted to wait until 1928, and then pass a tax reduction bill on the eve of a general election. That is what has been done in the past. In 1922 you passed a tax bill because that was an election year. In 1924 you passed a tax reduction bill because that was an election year, and in 1926 you passed a bill.

Mr. President, that is not all. How was this remarkable surplus of \$505,000,000, cited by General Lord, distributed? Not only did you write a general tax reduction bill to absorb it in the future but you did that which you inveighed against the other day when the distinguished Senator from Missouri [Mr. REED] tried to have his amendment adopted, when he tried to grant a credit to the taxpayers on the taxes they are to pay this year.

Oh, that was horrible! You criticized him for it. You wanted, if anything, a permanent tax reduction bill. Let me read to you what the President said in a message on March 11, 1924; and I want particularly the Senators from Ohio to listen to this. This is what your President said on November 11, 1924, in a message to Congress:

It has been my earnest hope that a 25 per cent reduction in taxes to be paid for the current year might be provided by law before the 15th of March.

There was a surplus, and he wanted to give the benefit of it to the people.

Many people have been expecting that such would be the case and deferred their tax returns accordingly. It is a matter of such imminent importance that I have no hesitation in recommending that the public welfare would be much advanced by temporarily laying aside all other legislation and enacting a resolution for this purpose, which ought to be by unanimous consent.

He wanted a resolution passed by unanimous consent to give a 25 per cent reduction to the people. Said the President:

The taxpayers, the business interests, agriculture, industry, finance; in fact, all the elements that go to make up the economic welfare of the people of America would be greatly benefited by such action.

That was the President speaking then, and when the resolution was put upon its passage, all of you voted for the proposition. Yet the other day, when the distinguished Senator from Missouri tried to give some relief by his amendment, you inveighed against it, you raised points of order, and you said, "Oh, that is an unfair way to do business."

The President went further. He said:

It would remove an element of uncertainty from the current financial year at once, which would be a strong stimulant to business with its resultant benefit. * * * It would be a positive step in the right direction, which is much needed at this time to justify the confidence of the people that the Government is intent solely on the promotion of the public welfare without regard to any collateral objects.

That was the recommendation of the President. You did not pass your joint resolution by unanimous consent, but we wrote into the law of 1924, the general tax reduction bill, a provision that gave to the taxpayers for that year a 25 per cent reduction. We all voted for that proposition.

How easy it would be for us to act likewise at this time, and pass through the Congress this tax reduction legislation. Ah, but you say, what has the Senate to do with it? You have a right to express your opinion on this question. Some of you in the last campaign, when you were up for reelection, said that you would be in favor of a tax reduction bill at this session. Some of you, in your speeches, told your constituents, in order to win votes, that you would be for it, and some of you gentlemen who went out into other Senators' States, and into congressional districts in other States, and made campaign speeches to win votes, said, "Oh, if there is a surplus in the Treasury during the December session, we will vote for a tax reduction bill."

You made it so strong that while the President did not say anything before the election, he did say just a few days after the election, on November 6, that he was for a tax reduction measure.

Mr. President, it is not sound business, it is not real statesmanship, to pile up enormous surpluses in the Treasury, such as we have now, of from \$385,000,000 to \$500,000,000, and adjourn Congress, knowing that a like surplus will be piled up next year, without giving the people the benefit thereof.

Here is another statement made by General Lord:

The case is very like the man with the whiskers. He had worn whiskers for 40 years, and was greatly attached to them. They were attached to him.

Naturally so.

One day his little grandchild asked him what he did with 'em nights.

This went over the radio.

Did he put 'em under the coverlid or leave 'em outside?

He is talking about whiskers.

He had never thought of that question before. The succeeding night was a troubled one. Just what to do with the whiskers proved a very trying, sleep-banishing problem. The next day he cut off his whiskers. We can get rid of our surplus this year by applying it to the national debt.

Mr. CARAWAY. Who told that story?

Mr. HARRISON. General Lord.

Mr. CARAWAY. The Senator knows, does he not, that Noah started that just after he got out of the ark?

Mr. HARRISON. General Lord continued:

But we will face another surplus problem next year.

The President's utterance was on all fours with that. There is going to be a surplus next year, there is a surplus now, and, Senators, it does seem to me that we ought to have some tax reduction legislation at this time.

There will not be any great amount of controversy about it. The Democrats in the House and the Republicans in the House can get together behind a plan. This resolution does not specify the details of the plan. They can give the reduction in the automobile taxes if they want to. They can reduce the corporation taxes if they want to. They can reduce the surtaxes or the normal taxes if they want to. The plan is left to them.

Everybody knows, with the calendar in the condition it is in now, and with such a short time between now and adjournment, that we can not bring up any question about which there will be much discussion. There will be cooperation on the part of the minority Members in the House. There will be cooperation here. It should not take much time to pass a general tax reduction bill.

I submit that the conditions warrant such action. Nothing is more important. I care not what bill is now upon the calendar, nothing would bring more relief to the American people than for us to write a tax reduction bill at this time.

I quoted the other day from the debates in the House, when the distinguished ranking Democrat on the Ways and Means Committee, Mr. GARNER, propounded a question to Mr. MILLS, who was ushered in this morning as Undersecretary of the Treasury, and he said he was in favor of bringing in a bill if it could be confined to one question, namely, tax reduction of corporations. Mr. GARNER propounded the question to Mr. TILSON, the leader of the Republicans in the House, and he said, "Oh, but what will the Senate do with the proposition?" They want to know what the sentiment of the Senate is. This resolution furnishes a splendid and admirable vehicle for showing what Senators think about tax reduction at this time.

Of course, there will be some Senators who have just returned from their States flying the colors of victory, and whose breasts are sticking out, who can go back and say, "Oh, yes; I voted against giving you tax reduction at this time. I voted against the resolution expressing it as the sense of the Senate that such a bill ought to be passed." But you will make a further explanation to your people. They will ask you more questions than that. Some of you may say, "Oh, we are letting the future take care of it, and somebody may come up and explain. Maybe the President will come out into my State two years from now and explain my vote on that resolution."

You had better take care of yourselves, Senators. Many of you on the other side will come up for reelection a year and a half from now. You are the ones who have to make the explanation. You are the ones who will stand upon the stump and tell your constituents why you voted against an expression of the sense of the Senate to the effect that we ought to have tax reduction at this time.

We have over 30 days remaining in which to act upon such a plan. There will be cooperation. There will not be opposition. We can get together on a bill. There is no excuse for not doing it. Yet my friend the Senator from Ohio [Mr. FESS] raises the point that the resolution ought to go to the Committee on Finance. Even with the able and distinguished membership which composes that committee, the Senate does not require the approval of the resolution by that committee to in-

fluence a vote of the Senate. There is nothing complicated about it. It is simple. It does contain hardly more than 20 words. The Senator wants to send it back to the committee, because he wants to kill it. That is what it would mean. It would mean burying it in the archives of the Finance Committee under the leadership of the Senator from Utah [Mr. Smoot]. I am not willing for that to be done. Any vote that proposes to send the resolution to that committee is a vote against the expression of the sense of the Senate on this very important proposition.

I do not want to take the time of the Senate at this particular juncture. There is much important legislation to enact. I am perfectly willing to have a vote on the proposition. Before I said a word about it I was willing to take a vote on the resolution. Why should we take up the time of the Senate for days in discussion of the matter? That is what it would mean. There would be more speeches on it. If we do not get action to-day and if the resolution does go over and is placed on the calendar, there will be a motion made here day after day to take it up, if I can catch the attractive eye of the Presiding Officer to secure recognition to make the motion. We might just as well take a vote on it now and find out how everybody feels, so that Republican Senators can go back to their people and tell them whether they are for tax reduction or against it.

Mr. FESS. Mr. President, it had been my thought that it would be just as well to take a vote immediately upon the motion to refer the resolution, but the Senator from Mississippi [Mr. HARRISON] has gone into the subject rather fully and made some statements which I think ought to have some attention, so I propose at this time to discuss his proposal.

In the first place, there are eight appropriation bills which are yet to be acted upon by the Congress. When we realize the number of items which will be in dispute between the two Houses, it is easy to appreciate the amount of time to be consumed legitimately on those differences. In addition to those bills, which must have consideration, we have others which involve wide interest, which are being keenly controverted in this body and in the other body. The Senator from Washington [Mr. DILL], a member of the Interstate Commerce Committee, has now before us for the action of the Senate the conference report on the radio bill. I do not know how much time that will consume, but I think considerable time, because it involves a new subject, and Members of both Houses are averse to acting quickly without consideration. I think inevitably that matter will take some time, and it is certainly important enough that we ought to have action on it at this session and without undue delay.

I have been greatly interested in the final vote on the banking bill. As long as the days before I was a Member of this body I collaborated with the author of that bill in another body, and I think it extremely important that final action be had on the measure as soon as may be. No one needs further than simply to take observation of what took place here yesterday and in the days preceding to know that that bill is going to require considerable time in this body, if we get final action at all.

In addition to that, there have been some ugly utterances in regard to the Muscle Shoals situation. I for one am extremely anxious that that measure be put in some form so we can get a final disposition of it.

The same thing may be said as to farm relief. I do not know of any subject that creates a wider interest, in which more people are not only interested, but vocally interested, talking about it, than the possible relief for agriculture. Subjects which are controversial in connection with the ideas for farm relief are bound to consume a great amount of time.

I have mentioned only a few of these matters. Yet here is introduced a subject by the Senator from Mississippi which has no place in this body. Anyone having any familiarity with the Constitution knows that that consideration can not originate in this body. Whether it is political or otherwise I am not saying, but we certainly know that it can not be anything more than a gesture from the standpoint of final action, because final action in this body on such a subject means absolutely nothing.

Mr. KING. Mr. President, will the Senator permit an inquiry?

Mr. FESS. I yield to my friend from Utah.

Mr. KING. The Senator knows that Congress, both the House and the Senate, acting sometimes individually and sometimes collectively, express opinions upon foreign matters, though there is committed to the Executive the handling of foreign affairs; so I can see no impropriety in the Senate expressing its

opinion upon this question as we did the other day in regard to arbitration. In view of the fact that we are in agreement that there should be a reduction of taxes and the President has so affirmed his belief in that view, together with leading Republicans, we can dispose of the resolution in two minutes. If the Senator would take his seat and permit us to have a viva voce vote or a yea-and-nay vote, we could dispose of it in a very short time. I am sure the Senator would vote for the resolution, so let us stop talking and have a vote on the resolution.

Mr. FESS. Mr. President, the last man on this floor who should ask another Senator to stop talking is the junior Senator from Utah. That is not said offensively, because I am always pleased to listen to whatever he has to say.

Mr. KING. Let us vote, then.

Mr. FESS. But the Senator must ask one who has occupied not one minute of this session in making a speech, because I am interested in the expedition of legislation. In other words, let me say to my friend that I have at times gripped my chair in order to hold myself down while individuals in the Senate were making statements which ought to be refuted, but in the interest of a program which we are trying to enact I studiously avoided consuming any time whatever. I again say to my friend, do not ask the Senator from Ohio under the circumstances to take his seat, because I am not going to do it just now.

Mr. COPELAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. WILLIS in the chair). Does the Senator from Ohio yield to the Senator from New York?

Mr. FESS. Before I yield to my friend from New York may I make just a slight observation with reference to a remark of the Senator from Utah about expressing an opinion? I admit that it is a practice sometimes followed where one of the Houses will express an opinion in reference to what the other House should do. Only at the last session the House of Representatives announced its opinion on the World Court, which, of course, was a matter that pertains wholly to the Senate. While it is true that now and then such a thing is done, it ought not to be a vehicle for the consumption of time when time is of the essence.

I yield now to my friend from New York.

Mr. COPELAND. Let us for a moment get back to the original subject under discussion. The Senator from Ohio must realize, I am sure, that the taxpayers of the country are seeking relief. There is no question of that in his mind, I am sure, and if that is the case why do we not make some effort at this session to give some measure of relief to the taxpayer?

Mr. CURTIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Kansas?

Mr. FESS. Certainly.

Mr. CURTIS. Those constituents of mine who have expressed themselves in regard to this subject ask that the surplus be used for a reduction of the national debt. I have not had a single letter, that I recall, asking for a refund, but all of the letters ask that the surplus be applied to a reduction of the national debt.

Mr. COPELAND. Mr. President, will the Senator from Ohio permit me to make a brief statement in reply to the Senator from Kansas and then I shall sit down?

Mr. FESS. I yield to the Senator from New York.

Mr. COPELAND. Let me say in reply to the Senator from Kansas that his constituents and the citizens of his State must be unduly and unusually patriotic. The people who live in my State do not say any such thing to me. They say that this money was taken from them because the Government needed it for its operation, that provision has been made for the payment of the national debt in an orderly fashion; that an excessive amount has been taken out of the pockets of the taxpayers, and that it is only right, when a surplus develops and it is determined that there is more money in the Treasury than the Government needs in its orderly operation, that such surplus should be returned to the taxpayers.

Mr. FESS. Mr. President, I was about to say that I was not in entire unison with the Commission on Finance in the last tax reduction bill. I did not go along with the committee in its recommendations for the repeal of the capital-stock tax. Neither did I go along with the committee in the increase of the corporation income tax. In the first place, I felt that the capital-stock tax, being upon a sound basis as I thought, should not be repealed until such time as we would not need the \$97,000,000 to be collected from that source. On the other hand, I did not like the idea of an increase of taxation in a tax reduction bill, which was done in the case of the corporation income tax. I went

along with the Senator from Mississippi [Mr. HARRISON] on that question. There were some other items with which I did not fully agree.

I am free to say that it is not a cut-and-dried proposition with me, and it is not a matter of following the administration wishes in the matter. In other words, when announcement was made as to what might be done with the surplus in the Treasury, if it were demonstrated that there would be a surplus, I thought that it should be applied to payment of the public debt rather than to any application in the way of a rebate, and I so stated last fall in an interview after reaching Washington. It is fundamentally sound that the national debt should be reduced as rapidly as it can be done consistent with the integrity of American business. We must maintain this integrity, otherwise there will be no revenue paid. If, on the other hand, any system, whatever its character, would destroy the business of the country, it would reduce the revenue to a point where there would be no possibility of payment of the debt. Our policy from the beginning has been to pay the public debt just as rapidly as it can be done. In order to do that we have established a sinking fund. That sinking fund, it is true, may be either increased or decreased.

We have also provided for the application of the payment of any interest and principal of the foreign loans in the further reduction of the national debt, and it has been the policy of the Government to apply the surplus to the payment of the public debt. To those three items we can add the proceeds which we obtained from the sale of war materials following the close of the war, and also the liquidation of certain of our Government agencies, such as the War Finance Corporation, the Grain Corporation, and other agencies which had in their treasuries considerable sums of money. But all of that is gone; that fourth element of debt reduction is no longer to materialize; that is exhausted. The three methods by which we may continue to reduce the public debt will be the sinking fund, the application of the payments on foreign loans, and then such surplus as will measure the difference between the income into the Treasury and the outgo.

For what reason should we apply the surplus to the payment of the national debt? For this reason: The largest item of public expenditure since the close of the World War is interest on the public debt, which at one time was over \$1,000,000,000 per annum. Mr. President, when we realize that before the World War the interest charge on the public debt was less than \$40,000,000 per annum, and then realize that immediately following that war it was one and one-eighth billion dollars, we begin to appreciate the burden that has come to us financially because of the World War. While, with the exception of one year, we have reduced the debt every year by at least three-quarters of a billion dollars, and during two years reduced it beyond the billion-dollar mark, to an amount totaling \$6,000,000,000, still the interest item is this year over \$800,000,000. It is greater than the combined appropriations for the Army and the Navy. We can not reduce that item except as we pay the public debt. If we do not pay the public debt, that item continues perpetually without end of time. On the other hand, every time we pay \$1,000,000,000 on the public debt we save an actual interest charge of \$45,000,000 forever. That makes it extremely important that we should apply the surplus to the payment of the public debt.

Mr. HARRISON. Mr. President, may I ask the Senator from Ohio a question?

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield; and if so, to whom?

Mr. FESS. I yield first to the Senator from Mississippi.

Mr. HARRISON. Am I to infer from the Senator's remarks that he is against at any time in the near future the passage of a tax reduction bill?

Mr. FESS. No.

Mr. HARRISON. But as the surplus is piled up he would apply all of the surplus to the payment of the national debt?

Mr. FESS. No. I will come to that, I will say to my good friend, in a very short time.

Now I yield to my friend from New York.

Mr. COPELAND. Mr. President, granting the importance of liquidating the public debt as soon as possible, ought we not, in all fairness to the taxpayers and really in order to be honest with them, to let them know in advance our intent to apply the surplus to the payment of the national debt? The Senator from Ohio is certainly familiar with the language of the President himself, who has said that to make use of these funds for any other purpose than the operation of the Government is "legalized larceny." Does the Senator from Ohio agree to that?

Mr. FESS. Mr. President, when leading men use slogans or aphorisms they very frequently are employed by those who do not agree with them with more or less of a tendency to ridicule.

Mr. COPELAND. But I do agree with the President.

Mr. FESS. President Woodrow Wilson used the expression "Too proud to fight." On the floor of one House of Congress I have heard that expression ridiculed many times, and I must say I did not appreciate the ridicule. President Wilson also used the expression "This war is to make the world safe for democracy." I have felt sometimes that that expression was being taken advantage of by various countries of Europe when they have said that if the World War was fought for the purpose of "making the world safe for democracy," then the United States should cancel all their obligations in the form of loans which were made for that purpose. Now, while I did not criticize that literary gem of President Wilson, the truth about the matter is it was taken advantage of, ridiculed, although beautiful in itself, and used as an argument in connection with the obligations of foreign governments to the United States.

When President Coolidge referred to "legalized larceny" he was necessarily referring to exacting from the people an amount of money when we could avoid doing so, I agree with him precisely that the United States Government should not collect more than is necessary, not merely for running the expenses of the Government but for the orderly handling of the Government's business and also to meet the obligations of the Nation. That is the policy we have pursued from the beginning.

Mr. COPELAND rose.

Mr. FESS. If the Senator from New York will permit me, I will indicate the progress we have made in regard to debt reduction.

Mr. COPELAND. If the Senator will permit me to ask him merely one question, then I will take my seat.

Mr. FESS. I yield to the Senator from New York for that purpose.

Mr. COPELAND. Then, the Senator from Ohio believes that we should not have a reduction of taxes now or even in the near future until the national debt shall have been paid?

Mr. FESS. The Senator from New York knows that that statement is not warranted; that I am just as much in favor of legitimate, rational tax reduction as he is. The difference between us is that I do not want to embarrass the Treasury, while he would like to embarrass the administration. That is a wide difference, and a difference which the Senator from New York appreciates as much as I do.

Mr. HARRISON. Mr. President, will the Senator from Ohio yield to me?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. FESS. I yield to the Senator from Mississippi.

Mr. HARRISON. The Senator from Ohio has stated that the Senator from New York wants to embarrass the Treasury but that he himself does not want to embarrass the Treasury. There are \$383,000,000 of surplus in the Treasury. The estimate by General Lord is that in 1928 there will be a surplus of over \$200,000,000 in the Treasury. Would it embarrass the Treasury to pass a general tax reduction bill now to absorb of that surplus, say, \$200,000,000, not going to \$250,000,000?

Mr. FESS. Mr. President, I wish to answer that question specifically and now. Permanent tax reduction legislation goes beyond the year in which it is enacted; it is permanent until it shall be modified. Without knowing how much will be demanded from the Treasury by legislation, on the one hand, and how the level of business from which we get the inflow of revenue in the form of taxation will be maintained, on the other hand, to undertake to reach into the future is unwise in the highest degree, and the Senator knows it is.

Mr. HARRISON. Let me ask the Senator another question. We passed a tax reduction bill in 1922, because there was not only a surplus then of something over \$200,000,000 but the estimate of the Treasury Department was that in the succeeding year and the years to follow the surplus would approximate the amount by which we reduced taxes. The same thing was true when we passed the 1924 revenue act. At that time there was a surplus in the Treasury, and it was stated that in the future there would be a certain amount of surplus. In 1926 there was the same condition. How are we going to estimate the surplus in considering a tax reduction proposal except by the figures of the Treasury Department? If we take the figures given in the speech of General Lord the other night, it appears that not only is there a surplus this year but there will be a surplus next year; and he used that illustration about the man with the whiskers which I read to the Senator.

Mr. FESS. Mr. President, I appreciate the splendid encomium which the Senator from Mississippi has delivered upon the handling of finances of the Government. Let me now give some facts about tax reduction, as the Senator from Mississippi has dealt with that subject this morning.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. FESS. Please let me make this statement.

The PRESIDING OFFICER. The Senator from Ohio declines to yield.

Mr. FESS. I do not decline to yield, but I should like to make this statement connectedly.

Mr. COPELAND. Very well.

Mr. FESS. There is no basis on which any tax reduction can be made except on our ability to reduce the expenses of the Government. If there is no reduction in the cost of the Government, there can be no reduction in taxation, and the extent of our ability to reduce taxes must be found in our ability to reduce the cost of Government from the point where it now is to the minimum. On the other hand, our ability to pay the cost of Government depends wholly upon the level of business, for it is upon business that we must rely for the revenue of the Government. If there is no business, there is no revenue, no matter how much we may reduce the cost of Government. Those two items must be pertinent in this discussion.

Mr. EDGE. Mr. President, will the Senator yield?

Mr. FESS. I yield to the Senator from New Jersey.

Mr. EDGE. As pertinent to the Senator's discussion, I wish to refer to the daily statement of the United States Treasury, which is placed on the desks of Senators every day. Having been impressed with the statement made a moment ago that we must anticipate the future, I wish to call attention to the fact that the comparative analysis of receipts and expenditures for January last year and January of this year shows that in January, 1926, the receipts were almost \$172,000,000, while in the corresponding period of this year—that is, January, 1927—the receipts were \$157,000,000; so that the Treasury receipts were some \$14,000,000 less in January, 1927, than in the corresponding month last year.

Mr. FESS. Mr. President, I thank the Senator from New Jersey.

Mr. HARRISON. Mr. President, may I ask the Senator from New Jersey a question?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. FESS. I yield to the Senator from Mississippi.

Mr. HARRISON. Does the Senator from New Jersey, then, doubt what the President said in his speech on Saturday night, and what General Lord said, that there was a surplus in the Treasury of \$383,000,000, and that there would be a surplus in the future under the present tax law?

Mr. EDGE. The Senator from New Jersey does not doubt anything the President ever says.

Mr. HARRISON. I did not think the Senator did.

Mr. EDGE. But the Senator from New Jersey is pointing out the actual balance sheet, which at least discloses the situation so far as current revenues are concerned.

Mr. FESS. Mr. President, on the subject of reducing the cost of Government I wish to give the figures of the appropriations for various years which will show the sliding scale downward to a certain point in governmental expenditures. In 1920 the appropriations for the expenses of the Government were \$6,482,000,000; in 1921 they had been reduced to \$5,538,000,000, representing a reduction of nearly a billion dollars. In 1922 they were reduced to \$3,795,000,000. There was no possibility of our effecting tax reduction until we had cut the cost of Government to such a degree that there was a saving. So, in 1921, as the Senator knows, a tax reduction bill was started on its way, discussed for long weeks, and was finally signed in 1922. That first tax-reduction measure reduced the bill which the American people had to pay in the form of taxes by \$835,000,000. That was as great a reduction as the condition of the Treasury would justify, and such a reduction could not have been made prior to 1922.

In 1923 our appropriations amounted to \$3,697,000,000, being only about \$100,000,000 less than the appropriations for the preceding year. In 1924 the appropriations amounted to \$3,507,000,000. They were about \$190,000,000 less than the appropriations for the preceding year, and represented in the neighborhood of a billion dollars reduction in the cost of Government from 1922 to 1924. That laid the basis for a second tax reduction bill, and such a measure was discussed in both Houses for weeks and was passed in June, 1924. It saved

to the people of the country a tax bill of over \$400,000,000; but it was thought that that was as low as we could go at that time consistently with the condition of the Treasury.

In 1925 the cost bill of the Government was \$3,530,000,000.

In 1926 the cost bill was \$3,585,000,000.

You will note at once that we have gotten to about the limit of the reduction in the cost of Government until we reach the point where we will further reduce the public debt and reduce the item of interest.

Mr. President, when it comes to the Army, if necessary we can reduce the appropriation for that arm of defense. I am not in favor of going below the present size of the Army. That means that I would not be in favor of further cutting the appropriation for the Army. We could, if we wanted to, further reduce the Navy below what it now is. I am not inclined to favor that. Therefore, while we could do it, the Congress is not likely to do it. In other words, those items of appropriation are more or less static, and will grow and increase rather than decrease.

The same thing is true about the sinking fund. The sinking fund is constantly increasing, as under the law is inevitable. While we could change the law and instead of increasing the sinking fund from year to year we might reduce it somewhat, there are some items of appropriation that we are not going to reduce, because they are a matter of contract, and one is interest on the public debt, which we can not reduce except as we pay the public debt. That is the only way in which that item can be reduced.

Then there is another item. We are not going to reduce the enormous amount required for the operation of the Veterans' Bureau. Senators will recall that two years ago the Veterans' Bureau cost the Government, including hospitalization and every arm of it, considerably over half a billion dollars, and this year it is an enormous amount, for we are told that the peak of the hospitalization of the World War veterans will not be reached until 1928, when it is supposed that it will begin to decrease; and we are not going to reduce the item for the disabled soldiers, whatever be the concern here.

The same thing could be said about pensions. The amount paid by way of pensions to the veterans of the Civil War will be reduced, but the amount paid by way of pensions to the veterans of the Spanish-American War will be increased, so that there is not going to be a great reduction in that arm.

There will not be a reduction in the operation of the Postal Service of the country.

In other words, there is no showing whereby we are going to get a very decided decrease of the operating expenses of the Government. That being the case, the matter of tax reduction becomes quite important.

In 1926 we reached a point where the Treasury was in such shape because of the phenomenal progress of the business of the country that without cutting the expenses of the Government we saw such an increase in the revenue that we were able again to reduce taxation. This time we reduced it by the third law. Not only did we reduce it, but we revised the taxation system; and there is much more sense in revision than in reduction, for any system of taxation that is not built upon the possibility of American business prospering is a very unwise form of taxation. So by reducing certain forms of taxation we increase the revenue from those sources—a matter that had been pressed in both Houses as far back as 1921; for I myself, speaking in the other body, urged that point in April of 1921 and again in August of that year.

Mr. President, in 1926 we undertook the third tax-reduction bill. That was on the 26th of February, less than a year ago; and we reduced the taxes \$387,000,000.

In 1922 we reduced taxes \$835,000,000.

In 1924 we reduced the taxes \$400,000,000 plus.

In 1926 we reduced the taxes \$387,000,000.

We were not, however, swept off our feet because of any political propaganda to do these things before the state of the Treasury would warrant it; and we will not be swept off our feet by the political propaganda that is now raging in this body and has been raging here for the last 10 days.

Mr. HARRISON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. FESS. I yield to the Senator.

Mr. HARRISON. Of course, I know that the Senator expects me from that political propaganda; but he speaks of the present condition. Does not the Senator think that when we are going to adjourn Congress, as we are, on the 4th of March, not to reconvene until December of this year, and there is a surplus in the Treasury of somewhere around \$400,000,000 now,

and there will be a surplus approaching that amount next year, it is due to the people to give them some tax relief at this time?

Mr. FESS. If the Senator will introduce a measure to take care of this surplus limited to this year, and do it in an equitable way, I will join him at once.

Mr. HARRISON. What are you going to do with regard to the surplus that is going to accumulate for the next fiscal year? The Senator does not want to go on record as being in favor of these popgun tax reduction bills, just giving a rebate year by year, as the surplus accumulates, does he?

Mr. FESS. The Senator from Ohio does not care anything about popgun legislation. There are too many popguns going off every day to please the average Senator.

Mr. HARRISON. I hear a few popping off on the other side occasionally.

Mr. FESS. Yes; I admit that. Probably the present speaker is popping off.

Mr. HARRISON. I never think the Senator pops off too much. He does not pop in the right direction.

Mr. FESS. The Senator from Mississippi has gone straight to the heart of the subject; and, if he will permit me, I should like to make some comments on his question. He wants to know whether we are not going to pay any attention to permanent legislation. That was the question he asked in answer to my statement that I would gladly join him. If he will offer a resolution that will equitably apply the present surplus, I will join the Senator on that; but I will not go beyond the present surplus. Now let me tell him why.

Mr. HARRISON. I understood the Senator to say that he opposed the idea embodied in the amendment of the Senator from Missouri [Mr. REED] last week, which would have distributed the surplus.

Mr. FESS. Mr. President, I ought not to be misunderstood. I would prefer applying the present surplus to the payment of the public debt rather than the other alternative; but I think probably I went further than I ought to have gone when I said that if the Senator would introduce a measure that would equitably apply it I would join him. I will say to the Senator that I would prefer to apply it to the payment of the public debt, for I think that is a sounder policy; but if, for any reason, that should not be done, then I should not hesitate a moment to make an equitable application of the present surplus, not to go beyond this year.

Now, Mr. President, let me state why I would not do it.

This Congress is a good example of expenditure beyond what we expected when we first assembled. There are several measures that have come in here and are very easily amended with great additions, and these additions go through with little contention. The rivers and harbors bill is one example; and I am not criticizing it, for, while I voted against some items in it, like the Cape Cod Canal, I voted for the bill on its final passage.

In the case of the public buildings bill I was strongly in favor of the \$165,000,000 bill. I have no regrets for having supported it. Another bill on the subject has been introduced, and I was strongly for that—the bill for the payment of \$25,000,000 to purchase the triangle. There is another one of \$1,700,000 to buy the site for the Supreme Court, and another one of \$800,000 to buy a location for the Botanic Garden. All of these are through this body, and some of them are through the other body; and there is being introduced an amendment to the \$25,000,000 bill to carry \$100,000,000 of appropriations to care for needed buildings outside of the District of Columbia. That is in addition to the \$165,000,000 and the \$28,000,000; and that is only one example of how freely we vote appropriations. I am not criticizing it, because I supported all of these bills; but they indicate what demands are brought up and how freely we vote upon them.

There is a bill introduced by the Senator from Oregon [Mr. McNARY] which, if it becomes a law—and if it does not, some other bill will become a law carrying a similar feature—will require a revolving fund of some two hundred to two hundred and fifty million dollars. There are other measures in the burning that will likely be considered with more or less favor, such as the Muscle Shoals bill, as to which I join the Senator from Mississippi in being anxious to get a hearing and a final vote upon it. But here is the thing to keep in mind on the tax-reduction question: If we can not keep down the appropriations, the estimates of which are away below what we are actually appropriating now, all of these additions together will more than absorb the surplus that we are thinking about to-day.

Mr. HARRISON. Mr. President, may I ask the Senator a question?

Mr. FESS. I yield to the Senator from Mississippi.

Mr. HARRISON. Has not that condition always prevailed—that you could not tell what the Congress was going to do in the future?

Mr. FESS. Yes.

Mr. HARRISON. All tax bills are written on the estimates of the Treasury Department as to future surpluses.

Mr. FESS. No; I will say to my friend from Mississippi that never in the history of America has a second tax reduction bill been introduced, and consideration of it demanded, before a year elapsed from the time of the last one.

Mr. HARRISON. May I suggest to the Senator that the act of 1926 was considered and was recommended a little more than a year after the act of 1924 was passed, and we had then no such amount of surplus as we have now.

Mr. FESS. There is another provision which I want the Senator from Mississippi to permit me to discuss.

Mr. HARRISON. Will the Senator yield for just one minute?

Mr. FESS. I always yield to the Senator from Mississippi, because while he is sometimes very caustic, there is not a man on the floor of the Senate whom I more like to hear, or whose personality I more admire.

Mr. HARRISON. I am glad of that. That is why the Senator is so wise; he has heard good counsel.

Mr. FESS. I am much obliged.

Mr. HARRISON. I want to ask the Senator from Ohio whether he intends to speak until 2 o'clock. Of course, the Senator and myself know the parliamentary rules, and I would just like to know what is in the mind of the Senator.

Mr. FESS. I very much dislike to see the Senator from Mississippi leave the floor—

Mr. HARRISON. I am not going to leave.

Mr. FESS. Because he is my inspiration, and he has been ever since he has been on the floor.

Mr. HARRISON. I do not intend to leave, but if the Senator intends to take all the time until 2 o'clock, I want to submit a unanimous-consent request.

Mr. FESS. This subject is so big that I could not possibly get through with it before 3 o'clock this afternoon.

Mr. HARRISON. Will the Senator permit me to submit a request?

Mr. FESS. Yes.

Mr. HARRISON. I ask unanimous consent that at 2 o'clock the consideration of this resolution shall continue.

Mr. CURTIS. I should object to that.

Mr. HARRISON. I am surprised at that objection. Then I ask unanimous consent that the resolution may go over until to-morrow without prejudice.

Mr. CURTIS. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. WALSH of Massachusetts. I hope the Senator from Mississippi is not overgrieved at the objections.

Mr. FESS. There is another feature I want the Senator from Mississippi to consider; that is, the ability to collect revenue. Revenue comes from two main sources. One is customs dues, and the other, of course, is in the form of general taxation, and depends in size on the condition of business.

As to customs dues, there is a wide difference between the Senators who sit on opposite sides of this main aisle. Our Democratic friends believe that the customs dues should be collected on the basis of tariff for revenue only. I do not want my friend to think that I am going to discuss the tariff question. I am not discussing that; I am discussing the revenue question only.

On the other hand, we on this side believe that customs dues should be collected not only for revenue, but should be so levied as to extend to the encouragement and the building up of American industry.

Our friends claimed in 1922 that if the Underwood law, which had been on the statute books from 1913, should be displaced by the law then proposed, the people of the United States would not only be overtaxed, but that the revenue of the Government from duties would be reduced. That was urged in both Houses, and I think it was asserted because it was believed.

What was the result? We claimed that in the degree that production and consumptive power were stimulated business would be increased, and that when domestic business increased foreign trade would also increase, and that if we increased foreign trade that in itself would not reduce the sum total of revenue. Therefore we held that "While your law is specifically for revenue only, and ours is for encouragement of American industries, in addition to revenue, we will collect more revenue under our law than you do under yours." And we were hooted at.

Here are the figures. In 1923 there were collected from customs dues \$561,929,000. That was the first year after the present law had been on the statute books for one year. In 1922, the year before, the receipts were only \$356,000,000. In other words, the first year under the present law the revenues from customs dues were 60 per cent more than in the last year of the revenue only law. In 1924 the receipts were \$545,000,000; in 1925 they were \$547,561,000, and in 1926 they were \$579,430,000.

Mr. President, under the revenue only law, the high-water mark was \$356,000,000, and last year, under the present law, the receipts were \$579,000,000. That proves that the present law as a revenue producer is far superior to its predecessor.

On the other hand, revenue going into the Treasury from sources outside of customs dues comes from individual income taxes, income taxes on corporations, and ordinary taxes of various forms. My friend the Senator from Mississippi has suggested that we are perfectly safe in assuming that the high level of business to-day will continue indefinitely and that upon that basis we are assured a surplus next year, as we have one this year. If I could be absolutely certain of that, I would not hesitate very much in voting for another tax reduction, even though it should come before a year elapsed since the last one. But who can tell what is in the future?

I do not see any symptoms at the present moment that indicate a depression in business. On the other hand, there never has been a time in the history of the world when capital was better invested, when labor was better employed, when transportation was doing a business equal to that it is doing at the present time, when the building program had ever reached such a plane as it reached in the last four years. There has been a building program that totaled in four years more than \$24,000,000,000. Four billion dollars a year was put into business structures. The balance of it was in residence structures. I do not know whether the building program is completed or not. I can not be certain that we have not reached the point where the demand in building is more or less supplied. If I could know that we are not overreaching construction by our mass production, then I would have more light as to what I should do in voting on a tax reduction bill.

In the United States to-day there are 15 banks owned and operated by union labor, to say nothing about the 75 finance corporations that are owned and operated by union labor. There are to-day among the laboring classes of the United States at least three and a half times as many home owners, big and little, as are found in the next greatest country on the globe, the United Kingdom of Great Britain. There are four times the deposits in savings banks from small depositors, four times greater than all the capitalization of all the national banks, all the State banks, and all the trust companies in the United States. There never has been a time when prosperity was so generally distributed; all classes are sharing in prosperity as they never have shared before.

I do not see any symptoms in that to indicate that business is not going to keep on the high level on which it now is. But everyone knows that overnight something might occur. I have always been afraid, I will say to my colleagues, for the high level of prices when I see production overrunning consumption, when I see the cotton situation in the Southland as it is now, when I see the legitimate effects of production beyond the power of consumption. While I am assured that the shelves which hold the surplus material for sale are not overcrowded, that production is not outrunning consumption, yet I can not sometimes help fearing that when prices current are running so high that they seem abnormal it is a red flag that ought to be a signal of warning.

While it may be that our present business integrity will be maintained and can be comparatively assured that this high level of business will continue and that there will be no reduction of revenue in the form of income and corporation taxes and that we may have a surplus next year, as we have this year, while I hope that is true, it would be unwise, it would be the height of unwisdom, without knowing what will be the limitation of the exactions upon the Treasury this year and without knowing what will be the income next year, to proceed now to make permanent reductions applying this year, the next year, and the next year, without knowing what is going to take place.

Mr. HARRISON. May I interrupt the Senator?

Mr. FESS. If we wait, there is no reason why in the next Congress we may not be sufficiently well established in our knowledge of the situation as to make us free either to vote for another tax reduction or not, but in the meantime let us apply the present surplus to the further reduction of the public

debt, thereby reducing the annual charges in the way of interest, and do the businesslike thing of paying our debts as rapidly as we can consistent with the prosperity of the country.

Now I yield to the Senator.

Mr. HARRISON. Of course, the Senator means to apply also on the national debt the surplus that will accumulate for the coming year.

Mr. FESS. We can not tell whether there will be any surplus or not.

Mr. HARRISON. We will have no session of Congress until December, and that would naturally follow, would it not?

Mr. FESS. It would probably be done if the Treasury Department had a basis upon which a judgment could be formed that in the following year there would be another surplus.

Mr. HARRISON. Would the Senator and his colleagues allow this resolution to pass if we put a limitation in providing that the tax reduction shall not go over, say, \$200,000,000? That would be below any estimate anyone has made.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the resolution goes to the calendar. The Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (H. R. 11768) to regulate the importation of milk and cream into the United States for the purpose of promoting the dairy industry of the United States and protecting the public health.

Mr. HARRISON. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 336.

Mr. LENROOT. Mr. President, I make the point of order that the motion is not in order. It is not a motion provided for under the rules and is not permissible under either Rule XXII or Rule IX, nor is it a motion specially provided for under the rules as was the motion made on yesterday.

Mr. ASHURST. Mr. President, it seems that only yesterday we voted to adhere to a precedent established in 1922.

Mr. LENROOT. The rule specially provided for that motion.

Mr. HARRISON. I have always understood that if we could get the eye of the Presiding Officer to submit a motion to proceed to the consideration of a bill or resolution, it mattered not if there was some unfinished business before the Senate. If a majority of Senators vote to take up the new business, it sets aside the unfinished business, and such a motion has always been in order.

Mr. LENROOT. That rule applies only to a bill or joint resolution, and this is neither.

Mr. HARRISON. I understand that at one time, under a point of order raised by the Senator from Wisconsin, he led the Presiding Officer into that fallacy because it was a resolution and was not a bill, and that it was not in order because the rule said, specifically, "bill"; but, under a fair construction of the rule, if the motion is in order to take up a joint resolution or concurrent resolution or a bill, it certainly would be in order to take up a Senate resolution.

Mr. LENROOT. I have only this to say, that if we want to violate all the rules of the Senate the motion is in order, but under the rules it clearly is not in order.

The PRESIDING OFFICER. The Chair feels inclined to sustain the point of order. The point of order is sustained.

Mr. HALE. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside—

Mr. HARRISON. Mr. President, I am forced to object until I can get some understanding about my resolution.

Mr. CURTIS. Mr. President, I suggest that the Senator let his resolution go to the calendar. I will consult with the Senator from Utah [Mr. Smoot] to-morrow, and I think we can agree upon a time to vote upon the resolution.

Mr. HARRISON. We have to-day seen two hours frittered away in a filibuster against a simple resolution containing just a few words. To-morrow I shall have to make the motion again to bring up the resolution, and we will have to go through the same performance. Unless I can get some agreement now, there will be no more recesses if I can prevent it. There will be an adjournment every day, and there will be a motion every day to take up the resolution until we get a vote upon it. I am perfectly willing to fix a time, this afternoon or to-morrow or any time, to vote on the resolution.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. HARRISON. I yield.

Mr. LENROOT. I want to assure the Senator that I have not in any way obstructed the consideration of the resolution.

Mr. HARRISON. I know the Senator has not done so.

Mr. LENROOT. I merely did not want him to take his punishment out on me.

Mr. CURTIS. I believe that after talking with the Senator from Utah [Mr. Smoot] we can arrange for a time to vote on the Senator's resolution. The Senator from Utah desires

to be here when the vote is had, and so told the Senator from Mississippi.

Mr. HARRISON. Very well; I will let it go over until to-morrow to see if we can get an agreement to vote to-morrow.

NAVAL APPROPRIATIONS

Mr. HALE. Mr. President, I now renew my request that the unfinished business be temporarily laid aside and that the Senate resume the consideration of the naval appropriation bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15641) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1928, and for other purposes.

The PRESIDING OFFICER. The pending amendment will be stated.

The CHIEF CLERK. The pending amendment is on page 51, in line 9, after the word "authorized," to strike out "\$13,750,000" and to insert in lieu thereof "\$14,950,000."

Mr. HALE obtained the floor.

Mr. ASHURST. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Arizona?

Mr. HALE. If the Senator will not take any time, I yield.

Mr. ASHURST. I will take but a moment or two. I simply want to submit an inquiry. It seems that we are wasting considerable time. Here is the milk bill which has been the unfinished business for many days, but we do not proceed with it. I am very heartily in favor of the naval appropriation bill. I want to secure action on the conference report on the banking bill. Why may we not take up the bank bill and proceed with it until we dispose of it? I do not believe we ever make any progress by discussing one bill for an hour or so and then jumping to another bill. I am in favor of the naval appropriation bill and of the banking bill.

Mr. CURTIS. Mr. President, the naval appropriation bill has been before the Senate for a number of days, and I understand there are only one or two more amendments to be acted on. I hope the Senator will let us get it out of the way.

Mr. HALE. I think we can very easily get through with it this afternoon.

Mr. CURTIS. So far as I am concerned I am ready to vote on the pending amendment at any time.

Mr. PEPPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Pennsylvania?

Mr. HALE. I yield.

Mr. PEPPER. The suggestion made by the Senator from Arizona [Mr. ASHURST] seems to me to be an admirable one so far as it relates to the seeming conflict of interest between those who are pressing for consideration of the bank bill and those who are pressing for consideration of the measure for agricultural relief. I am in accord with the view expressed by the Senator from Kansas [Mr. CURTIS] that we ought to do nothing which interferes with the disposition presently to be made of the naval appropriation bill.

I should like to address myself to the Senator from Oregon [Mr. McNARY], chairman of the Committee on Agriculture and Forestry, to inquire of him whether he would be inclined to consider favorably a plan looking to a unanimous-consent agreement which would make provision for a time to vote on the agricultural relief bill and on the motion to concur in the action of the House amendments to the bank bill? I should like to have a statement from the Senator from Oregon as to his general disposition toward that proposal.

Mr. McNARY. Mr. President, my general disposition is to go forward and consider both the bills to which the Senator refers. I have only one purpose, and that is assurance that we may get a vote with reasonable expedition on the farm relief bill. Also I feel, as a Member of the Senate, that those interested in the bank bill should have a reasonable opportunity to vote on it. I shall be very glad to cooperate with the able Senator from Pennsylvania in any effort that will limit debate on those two matters and fix a definite time for voting on them. Personally I would like to claim priority for the farm relief bill. If that could not be effected and a date very early following final action on the bank bill could be agreed upon, I think, perhaps, those interested in the farm relief bill would be satisfied.

Mr. PEPPER. I very much appreciate that expression on the part of the Senator from Oregon, and with his permission I shall approach him a little later in the afternoon with a view of ascertaining whether or not the question of priority can be

adjusted and terms of a unanimous-consent resolution agreed upon.

Mr. KING. Mr. President, will the Senator from Maine yield to me?

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Utah?

Mr. HALE. I yield.

Mr. KING. I would like to ask the Senator from Pennsylvania [Mr. PEPPER] if his proposition contemplates a yoking of the farm relief bill to the banking bill? I hope the Senator will not bring in a unanimous-consent request yoking the two measures together.

Mr. PEPPER. No, I have no such thought. My thought was that each of the measures is abundantly worthy of being brought to a vote, each upon its merits and entirely independently of the other so far as the action of individual Members is concerned, but merely that in my judgment the right should be given to those who are advocating the agricultural relief measure to have it voted up or voted down, and to those who are propounding the banking legislation to have that proposal voted up or voted down.

Mr. WHEELER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Montana?

Mr. HALE. I yield.

Mr. WHEELER. The only difference between the farm relief bill and the banking bill, I will say to the Senator from Utah, is that one of them we shall have had a chance to vote on and to discuss upon the merits, while the other is in such a shape that we can not vote upon it on its merits because of the condition in which we find ourselves by reason of the action of the House and the committee of conference. I think it is a deplorable condition that we will not get an opportunity to discuss all the phases of the banking bill, the same as we will the farm bill.

Mr. HALE. Mr. President, in view of the statement of the Senator from Kansas [Mr. CURTIS] that he is ready to proceed to a vote upon the pending amendment, I will say that I am also ready, and unless other Senators have something to say, I hope we can take the vote immediately. I express the further hope that we may be able to finish the bill this afternoon.

Mr. DILL. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER. The point of no quorum is made. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	King	Sackett
Bayard	Fletcher	La Follette	Schall
Bingham	Frazier	Lenroot	Sheppard
Borah	George	McKellar	Shipstead
Bratton	Gerry	McLean	Shortridge
Broussard	Gillett	McMaster	Smith
Bruce	Glass	McNary	Stanfield
Cameron	Goff	Mayfield	Steck
Capper	Gooding	Means	Stephens
Caraway	Gould	Metcalf	Stewart
Copeland	Hale	Moses	Trammell
Coutzens	Harris	Nye	Tyson
Curtis	Harrison	Oddie	Walsh, Mass.
Dale	Hawes	Overman	Walsh, Mont.
Deneen	Heffin	Pepper	Warren
Dill	Johnson	Phipps	Watson
Edge	Jones, N. Mex.	Pine	Wheeler
Edwards	Jones, Wash.	Reed, Mo.	Willis
Ernst	Kendrick	Reed, Pa.	
Ferris	Keyes	Robinson, Ind.	

The VICE PRESIDENT. Seventy-eight Senators having answered to their names, a quorum is present. The question is upon agreeing to the amendment of the committee.

Mr. HALE. I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The clerk will call the roll.

Mr. ASHURST. Let the amendment be stated.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. The committee propose, on page 51, line 9, to strike out "\$13,750,000" and to insert "\$14,950,000, of which sum \$1,200,000 shall be immediately available toward the construction of the last three of the eight scout cruisers authorized by section 2 of the act of December 18, 1924."

The Chief Clerk proceeded to call the roll.

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Delaware [Mr. DU PONT]. I transfer that pair to the Senator from Louisiana [Mr. RANSDELL] and will vote. I vote "yea."

Mr. MAYFIELD (when his name was called). I am paired with the Senator from New York [Mr. WADSWORTH] on this question. If the Senator from New York were present he would vote "yea," and, if I were permitted to vote, I should vote "nay."

Mr. OVERMAN (when the name of Mr. SIMMONS was called). I desire to announce that my colleague [Mr. SIMMONS] is absent on account of sickness. He has a general pair with the senior Senator from Oklahoma [Mr. HARRELD]. If my colleague were present, he would vote "yea."

The roll call was concluded.

Mr. NORBECK. On this question I am paired with the Senator from Virginia [Mr. SWANSON]. If the Senator from Virginia were present he would vote "yea," and, if permitted to vote, I should vote "nay."

Mr. GLASS. I desire to announce that my colleague [Mr. SWANSON] is necessarily detained from the Chamber. He is paired, as has been stated, with the Senator from South Dakota [Mr. NORBECK]. If present, my colleague would vote "yea" on this question.

Mr. CURTIS (after having voted in the negative). I have a pair with the Senator from Arkansas [Mr. ROBINSON]. I am unable to secure a transfer, and not knowing how the Senator from Arkansas would vote, if present, I withdraw my vote.

Mr. GERRY. I desire to announce that the Senator from Nevada [Mr. PITTMAN] is unavoidably absent. If present, he would vote "yea."

Mr. HEFLIN. I desire to state that my colleague, the senior Senator from Alabama [Mr. UNDERWOOD], is detained from the Chamber by illness.

Mr. McKELLAR. I desire to announce that the Senator from West Virginia [Mr. NEELY] is necessarily detained in his State on matters of public interest.

The result was announced—yeas 49, nays 27, as follows:

YEAS—49

Ashurst	George	McKellar	Shortridge
Bayard	Gerry	McLean	Smith
Bingham	Glass	McNary	Stanfield
Bratton	Goff	Means	Steck
Broussard	Gooding	Metcalf	Stephens
Bruce	Gould	Moses	Trammell
Cameron	Hale	Oddie	Tyson
Copeland	Harris	Overman	Walsh, Mass.
Couzens	Harrison	Pepper	Walsh, Mont.
Dale	Hawes	Phipps	Watson
Edge	Johnson	Reed, Mo.	
Edwards	Kendrick	Robinson, Ind.	
Fletcher	Keyes	Schall	

NAYS—27

Borah	Fess	La Follette	Sheppard
Capper	Frazier	Lenroot	Shipstead
Caraway	Gillett	McMaster	Stewart
Deneen	Hedlin	Nye	Warren
Dill	Jones, N. Mex.	Pine	Wheeler
Ernst	Jones, Wash.	Reed, Pa.	Willis
Ferris	King	Sackett	

NOT VOTING—19

Blease	Howell	Pittman	Swanson
Curtis	Mayfield	Ransdell	Underwood
du Pont	Neely	Robinson, Ark.	Wadsworth
Greene	Norbeck	Simmons	Weller
Harreld	Norris	Smoot	

So the committee amendment was agreed to.

Mr. CURTIS. Mr. President, will the Senator from Maine yield to me in order that I may submit a request for unanimous consent?

Mr. HALE. I yield.

EVENING SESSION FOR CONSIDERATION OF CALENDAR

Mr. CURTIS. I send a proposed unanimous-consent agreement to the desk and ask that it may be read.

The VICE PRESIDENT. The clerk will read as requested.

The Chief Clerk read as follows:

It is agreed, by unanimous consent, that on Wednesday, February 2, 1927, the Senate shall take a recess not later than 5.30 o'clock p. m., until 8 o'clock p. m.; and that at the evening session unobjected bills on the calendar shall be considered until not later than 11 o'clock p. m.; and that during the evening session each Senator shall be entitled to speak once and for five minutes only upon any pending bill.

The VICE PRESIDENT. Is there objection to the request for unanimous consent?

Mr. HEFLIN. Mr. President, what date does the agreement fix?

Mr. CURTIS. It is for to-morrow night. I will state that the unanimous-consent agreement provides for the consideration of unobjected bills to-morrow night, but later on I hope to ask for a night session in order to consider bills under Rule VIII. I am not prepared, however, to submit that request at this time.

Mr. JONES of Washington. Mr. President, I ask the Senator from Kansas what debate it is contemplated shall be allowed on amendments to bills?

Mr. CURTIS. It is contemplated that there shall be debate of five minutes allowed each Senator on bills or amendments thereto. There will be no objection to that. The desire is to go through the calendar as far as possible.

Mr. JONES of Washington. But the unanimous-consent agreement provides only for debate of five minutes on the part of each Senator on each bill.

Mr. CURTIS. I will add the words "or on amendments."

The VICE PRESIDENT. Is there objection to the unanimous-consent agreement as now modified by the Senator from Kansas? The Chair hears none, and it is entered into.

NATIONAL-ORIGINS PROVISION OF IMMIGRATION LAW

Mr. JOHNSON. Mr. President, I ask the Senator from Maine if he will yield to me for a matter of some importance, concerning which, I think, there will be not the slightest objection, and upon which it is essential that immediate action be taken? If it delays the Senator at all or gives rise to any debate, I will not persist.

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from California?

Mr. HALE. I yield.

Mr. JOHNSON. Unanimously the Immigration Committee directs me to report the joint resolution which I send to the desk.

The VICE PRESIDENT. The clerk will read the joint resolution.

The joint resolution (S. J. Res. 152) to amend subdivisions (b) and (e) of section 11 of the immigration act of 1924, as amended, was read the first time by its title and the second time at length as follows:

Resolved, etc., That subdivisions (b) and (e) of section 11 of the immigration act of 1924, as amended, are amended by striking out the figures "1927" and inserting in lieu thereof the figures "1928."

The Senate, by unanimous consent, proceeded to consider the joint resolution.

Mr. JOHNSON. Mr. President, if the Senate will bear with me for an instant, I desire to say that under the present immigration law the President is required to promulgate a proclamation on the 1st day of April, 1927, in respect of the national-origins provision of the law. Upon this subject two messages have been received by the Senate. The last of those messages states that the figures relied upon for the quota numbers of various countries are ambiguous and that practical legislation could not be predicated upon them. The committee thought, therefore, because of the importance of the situation, that, in order that a proclamation upon inadequate data might not be promulgated, the matter should be postponed for a year and to a session when there would be ample time to deal with the subject. The law is, therefore, proposed to be amended by this joint resolution so as to make the date April 1, 1928, instead of April 1, 1927. I ask unanimous consent for the immediate consideration of the joint resolution.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. KING. Mr. President, as a member of the Immigration Committee I approve of the joint resolution to this extent: I am in favor of repealing the law. I think it is a very unwise and a very improper law; but in view of the fact that it was impossible to secure a repeal of the law I assent to this measure, though it does not meet my views at all.

Mr. REED of Missouri. Mr. President, if it be true that we can not change the law at this session, if that is the practical situation, if this legislation is the best that can be secured—

Mr. JOHNSON. Mr. President, I will say to the Senator from Missouri that that was the theory upon which the joint resolution was presented. I violate no confidence, I think, in saying to him that the majority of the Immigration Committee desired to repeal the national origins law, but, there being a minority in favor of it and our time being so limited, we felt that we could not at this time have definitive action.

Mr. REED of Missouri. Mr. President, continuing what I was saying and thanking the Senator for his explanation, I remark that if this is the best we can do under existing circumstances and at this session, then I am in favor of the proposition.

Mr. CARAWAY. Mr. President, may I ask the Senator from Missouri a question?

Mr. REED of Missouri. Yes.

Mr. CARAWAY. Does this joint resolution look toward increasing the number of immigrants?

Mr. REED of Missouri. No.

Mr. CARAWAY. Is it for the purpose of getting information upon which to increase the number of immigrants?

Mr. REED of Missouri. No; I think on the contrary, if the Senator will pardon me. The Senator from California can answer the Senator better than I can. This, I think, does not change that.

Mr. JOHNSON. No; this joint resolution leaves the matter in statu quo. Just exactly the law under which we are operating at present will continue.

Mr. CARAWAY. Is it the hope of the committee, however, to make it possible to get an increased immigration?

Mr. JOHNSON. No, sir; that was not the purpose. It is the hope of the committee to act upon the national-origins clause definitely at the next session; not at this.

Mr. CARAWAY. I shall be very much opposed to increasing the immigration.

Mr. LENROOT. This proposed legislation does not involve the number at all.

Mr. JOHNSON. Not a bit, sir.

Mr. HEFLIN. Mr. President, since there is some confusion about it, I should like to look into the matter; and I shall have to object.

Mr. REED of Pennsylvania. Mr. President, if the Senator will withhold his objection for the moment—a minority of the committee is ardently opposed to any change in the law. That minority believes that the national-origins method is the only impartial method of fixing the quotas; but the committee, I think, is practically unanimous against any increase in the total immigration now permitted. The joint resolution offered by the Senator from California represents a compromise, as it were, between the two extreme views—those who desire to repeal the national-origins provision and those who desire to stand by it. We are all agreed that if we are going to repeal it it can not be done with proper deliberation in the short time remaining of this session. We are all agreed, likewise, that if we are going to stand by the law, then the figures ought to be made more definite than the figures which have already been submitted to the Congress.

Mr. CARAWAY. Mr. President, may I ask the Senator from Pennsylvania what those who want to repeal the national origins law desire to substitute for it?

Mr. REED of Pennsylvania. For the present, they want to leave the method of basing the quotas on the 1890 census. Frankly, the objection comes principally from the German element and the Irish and partly from the Swedes, because their quotas will be cut down by the national-origins method. If the national-origins method is repealed, it will allow an immigration of about 164,000 annually. If it goes into effect, it will cut down the immigration to 153,000.

Mr. CARAWAY. That is what I am coming to. Then, if that can be repealed, it will look to an increased immigration?

Mr. REED of Pennsylvania. It will mean about 10,000 a year more—163,000, as at present, instead of 153,000, as it will be under national origins.

Mr. CARAWAY. Of course, that question is not up now; but I am very much opposed to an increase of immigration.

Mr. LENROOT. Mr. President, is not this the situation: Those who desire the repeal of the law—and I am one of them—merely desire to have the immigration remain permanently as it is under the law applied to-day?

Mr. REED of Pennsylvania. Exactly.

Mr. JOHNSON. Exactly. We remain exactly as we are to-day, with no increase, no difference, for one year.

Mr. BRATTON. Mr. President, will the Senator yield to me?

Mr. REED of Pennsylvania. Yes.

Mr. BRATTON. The adoption of the amendment will have no effect on the number of immigrants allowable in the country?

Mr. REED of Pennsylvania. It will mean that the number for the next year will be exactly the same as for each of the past two years.

Mr. BRUCE. Mr. President, may I ask the Senator from California what is the motive back of it? Is it the idea that the time is too short to work out this national-origins idea?

Mr. JOHNSON. There are three motives:

First, the President is required under the law, and assumes the law to be mandatory, as we understand, to issue his proclamation on the 1st day of April. That is No. 1. Either we must take affirmative action or he issues his proclamation.

No. 2. The time is so limited that the contest that is obvious upon the subject matter can not be disposed of.

No. 3 is that the data upon which a law concerning national origins would be predicated are so insufficient and so inadequate that even the President in his message says we can scarcely predicate anything upon them.

Mr. BRUCE. The effect of the proposition, then, is simply to postpone the date?

Mr. JOHNSON. Entirely; to leave matters exactly as they are, and postpone the date for one year.

Mr. REED of Missouri. Mr. President, when these illuminating interruptions came I was about to say that I have examined the report which is transmitted by the President to the Congress; and the report having been made with reference

to the question of national origins, anyone who will examine that report will understand that at best it furnishes only the loosest kind of a guess as to the origins of the present population of the United States. A moment's consideration will show how difficult the problem would be.

A man whose ancestors or some of whose ancestors have been in this country four or five generations finds as many crosses of blood, and each of these crosses of blood finds as many crosses in its own instance; and the result is that it is very difficult to say, as to any man whose ancestors came here a century ago, that they are of English stock or Irish stock or Scotch stock or German stock, because there may intermingle in his veins the blood of a half-dozen different races. So that the proposition of selecting people by race origin is impossible, for there are probably men in this Chamber who have four or five different national bloods in their veins; and this commission undertook to guess it off by the number of people of known national origin at some certain time in the country, and then presuming that their posterity continued in that ratio. It is the wildest kind of a guess. The national origins law is the most impractical thing I ever saw written into a law, and it opens the door for all kinds of unfairness and injustice.

According to this schedule which was prepared, we are nearly all English; the great percentage of our population is English. Everybody with a little bit of common sense knows that is not true. The law ought to be changed.

For instance, under the present law, as shown by this report, there can be admitted from Germany 51,227; under the proposed change only 23,428.

From Great Britain and Northern Ireland—they divide Northern Ireland now from Southern Ireland, I presume, because it happens to be politically separated—under the present law there can be admitted 34,007, and under the new allotment 73,039.

Mr. MCKELLAR. What about the Irish Free State?

Mr. REED of Missouri. The Irish Free State, under the present law, is permitted to send here, 28,567; under the new allotment, 13,862.

Let us take Denmark. We are getting into the Scandinavian country now, speaking broadly. Its quota, under the present law, was 2,789; under the proposed change it is only 1,044.

Coming to Norway, under the present law its quota is 6,453; under the proposed now allotment 2,267.

The allotment of Sweden under the present law is 9,561. Under the proposed new allotment it is 3,259.

Mr. BRUCE. Mr. President, will the Senator yield to me?

Mr. REED of Missouri. Certainly.

Mr. BRUCE. If the Senator has the figures before him, will he tell us how the new plan affects the Italian immigration?

Mr. REED of Missouri. Under the present law the quota of Italy is 3,845. Under the proposed allotment it is 6,091.

Speaking generally, the schedules as I look at them are not changes for the better. However that may be, the task of unraveling the bloods of people, and determining to what country a particular individual shall be allotted, when there may mingle in his veins the blood of the Scot, the blood of the German, the blood of the French, the blood of the Netherlands, the blood of any other of the countries, is an impossible task. A man has one father and one mother; he has two grandfathers and two grandmothers, and so on by arithmetical progression, until, when you go back 9 or 10 generations, you have so many different ancestors that you can hardly count them. These different ancestors represent different bloods, in many instances. The scheme was an absurd and ridiculous scheme when it was adopted. That is my opinion, with all respect to the people who conceived it, and I think they did not think of it with reference to these difficulties. They were thinking of it only because they wanted to exclude some races of people.

Mr. REED of Pennsylvania. Mr. President, will the Senator yield?

Mr. REED of Missouri. Yes.

Mr. REED of Pennsylvania. As one of those who helped in its origination, I think I might fairly claim that it did occur to us that a man has one father and one mother, and some of the other profound truths the Senator has just blessed us with.

Mr. REED of Missouri. I wonder why the Senator did not follow some of these profound truths. Was it because they were truths that he shied from them?

Mr. REED of Pennsylvania. No; because the Census Bureau, which knows almost as much about these subjects as the Senator from Missouri, told us that it was possible with reasonable accuracy to determine the national origins of the present population, and because it was self-evident that no method of basing the quotas on the foreign born alone did

justice to the native born of America, and every other scheme that has ever been suggested based them on the number of foreign born in this country. We thought that we, who were born in this country, had at least as much right to be reflected in the quota as had recently arrived immigrants.

Mr. REED of Missouri. Mr. President, since my friend wants to grow satirical, and refer to my lack of knowledge, I wonder who ever suggested that the native-born American citizen was not entitled to his quota, and I wonder where his quota comes in, in the matter of immigration. It seems to me those are words of mere sound.

I do not care what the Immigration Bureau may say, or what the statistical department may say; how are you going to determine the racial origin of a man who is part Swede, part Norwegian, part Dane, part French, part Irish, part Scotch, and part something else? Who is going to determine it? When you read this report, you will find it is a complete demonstration that they can not determine it.

Mr. REED of Pennsylvania. On the contrary, it is a complete demonstration of the fact that they think they can.

Mr. REED of Missouri. Very well. I will read it.

Mr. REED of Pennsylvania. Of course, what they do is to take the arrivals from the different nationalities, and calculate, as they can, the number of persons in our present population who represent those arrivals. They have been doing that for years.

Mr. REED of Missouri. Represent arrivals how? You may say that 10,000 English and 10,000 Germans and 10,000 Frenchmen came to this country prior to 1820, for instance, and this is the method of calculation. They then presume that the present population of this country is represented by the ratios those three races bear to the total number that came in, and that, therefore, the present population is so much French and so much English and so much German. As a matter of fact, they are none of any of these. As a matter of fact, it is a composite race, in whose veins flows the blood of probably 5 or 10 or 15 or 20 different races. I say it was idiotic, nonsensical, and was born of but one desire, since we want to use harsh terms, and that was further to restrict immigration under a cloak, a sham, a fraud, a pretense. That is all there is to it, and all there ever was to it.

We hear a good deal about this wonderful American citizen. We hear a great deal about these awful foreigners coming in. Mr. President, I went over the State of Minnesota 40 years ago. I saw vast uninhabited prairies, with here and there a little shack, sometimes a sod house. I saw some light-haired, nearly always light-haired, men and women working out in the fields. They were poor, some of them almost on the verge of want. There were a lot of ignorant, narrow-headed, narrow-minded people who said the Swedes were going to destroy Minnesota. The Swedes made Minnesota. The men who travel over that country to-day will find magnificent farms, splendid residences, comfortable barns, fat cattle, happy people, and a percentage of them were these despised Swedes.

The Irish came to this country. They came here because they were driven out by the intolerable persecutions of Great Britain. They came here at a time when laws existed under which, if a father taught his son to read, he might be sent to prison. They came here at a time when schoolmasters were put behind prison walls. They came here at a time when England laid her brutal hand upon the industries of Ireland and destroyed them. They came here poor and in rags, because they had nothing to wear but rags. They came with starving faces because they had been starved. My distinguished friend's ancestors and mine were the same, and they came at the same time and in that condition. They were met here by the aristocracy, who had been here about 14 or 15 years before they came, and some of them a half a generation. They were covered with imprecations and scorn. The name "Irishman" was a byword. The more ignorant a man is, the more he thinks he is the salt of the earth, and that other people are to be condemned and outcast. But these Irish came here and stayed here, and they have written their names on every glorious page of American history. They signed the Declaration of Independence and 38 per cent of Washington's army were Irish.

Germans came here. Even so profound a man as Ben Franklin warned the people of this country against the foreigners who were coming here to populate Pennsylvania. They had a legislature there that spoke the German or the Dutch tongue. They reported their proceedings in that language, and Franklin, with all his wisdom, with all his tolerance, declared that we were building up a foreign nation in the heart of America.

It would look rather strange to us to-day if the legislature of one of our States conducted its proceedings in a foreign tongue, but time wrote its story, and when it was written it dem-

onstrated that these people whom Franklin feared were among the best citizens of this Republic.

Many men to-day have not gotten over the prejudices of this last war. Yet I remember that in the darkest hour of this Republic it was the genius of Carl Schurz, a German, who did so much to save the Republic, and when at last the South lay prostrate the sword that Schurz had wielded against it was now drawn in its defense, and it was his genius and big-heartedness that led to the breaking of the chains that had been forged upon the Southland; it was due more to his efforts than to those of any other single man.

We may have all of the proscriptive organizations that can be congregated together, the Nation is unwise that admits into its borders the lazzaroni of the earth; it is equally unwise when it excludes the intellectual, the progressive, and the patriotic. What we ought to have in this country is a law that will select those who are proper to become American citizens, those who have the intellectuality and the blood and the ambition and the fire and the hope and the courage that make the white race of this country. Wherever we find men of that kind, they should be admitted.

These men who come before us with this talk about 100 per cent Americanism, and protecting America, open the doors to all the black races that want to come here from the West Indies, open the doors to Mexico, and there are to-day in Gary, Ind., I am informed, two wards of Mexicans. There are to-day in some of the Northern States ward after ward of negroes, who have come in from the South, and some people prefer them to men who happen to be born under other skies, but who have the same ambitions and the same hopes that we have in our hearts and in our souls.

Mr. ASHURST. Mr. President—

Mr. REED of Missouri. I yield.

Mr. ASHURST. The able Senator, in the course of his patriotic remarks, asserted that at least 38 per cent of Washington's Army of the Revolution were Irishmen. The Senator was conservative in his statement. I have here the testimony of Joseph Galloway, who was for some time member of the Pennsylvania House of Representatives in the colonial days, and, not being in sympathy with the Revolution, he fled to Europe. Mr. Galloway was examined by a committee of Parliament and gave the following testimony:

Question. That part of the rebel army that enlisted in the service of the Congress, were they chiefly composed of natives of America or were the greatest part of them English, Scotch, and Irish?

Answer. The names and places of their nativity being taken down, I can answer the question with precision. There was scarcely one-fourth natives of America; about one-half Irish; the other fourth were English and Scotch.

This testimony of Mr. Galloway will be found in the Royal Gazette, as printed by James Rivington, printer to the King, in the issue of Wednesday, October 27, 1779, copy of which is in the Congressional Library.

Mr. BORAH. It ought to be said also that we all have Irish blood in our veins.

Mr. REED of Missouri. Exactly.

Mr. ASHURST. I wish I had.

Mr. REED of Missouri. And if we have, and they have traced the ancestry aright, according to this bill they would not let anybody in but Irish, because they would be the only people admissible under the bill.

Mr. President, I want to keep the blood of this Nation pure in this sense: I want no man to come to this country who is not, first, capable of amalgamation into the life and the spirituality, if I may use that term, of America; second, a man who desires and aspires to liberty and independence, who proposes to observe the laws of society and the laws of this country. But when such a man does come to shut the door in his face is a distinct loss to our country.

Mr. BRUCE. Mr. President, will the Senator yield?

Mr. REED of Missouri. I yield.

Mr. BRUCE. What does the Senator think of the 25,000 or more foreigners who gather at times at Madison Square Garden and cheer Lenin and Trotsky to the echo?

Mr. REED of Missouri. Mr. President, I think we have improper immigration laws. I think we have allowed people to come in by chance instead of by selection. I think we opened our doors, and many came within the rule which I have just announced; that it was a mistake to admit the lazzaroni of earth, but it was equally a mistake to exclude the sterling, high-minded population of the earth.

Mr. BRUCE. There is no difference, then, between the Senator and myself if he has that understanding.

Mr. REED of Missouri. Not a bit. I had stated that previously, but the Senator was not here.

Where do we go for our art? Chiefly to the capitals of the Old World. In whose souls are born the divine harmonies of great musical productions? Chiefly in the Old World. Where do we find to-day that the progress in every branch of science has in so many instances outstripped our own genius? We find it in foreign countries. Who harnessed the mysterious force of the air and sent the lightning across the skies without a wire but Marconi, the Italian? Who after we had first conceived in this country the airplane seized the idea and developed it and who held the mastery of the sky during the Great War? It was held by our enemy Germany. I hope she will become our friend. I hope we can forget the bitternesses of the past. I hope we can cement her to us, because I say to-day that the time may come in this world when the friendship of Germany will be of incalculable advantage to the United States of America; so also the friendship of all countries.

We can not fix genius by the red lines of a map. We can not produce greatness by drawing a line upon the circumference of the earth. We can not demonstrate virtue by passing a resolution saying that we are the finest things God ever made. What this country ought to do is to recognize the fact that every man who comes here with a wealth in his brain and a wealth in his muscles, with a heart that beats true to the principles of this Republic, and a soul that aspires to the betterment of the race, whether he be a mechanic or a philosopher, is a contribution to America's wealth.

Mr. REED of Pennsylvania. Mr. President, will the Senator yield?

Mr. REED of Missouri. Certainly.

Mr. REED of Pennsylvania. I hope before the Senator finishes that he will tell us what kind of stethoscope we can use to find how the immigrant's heart beats in his patriotism and how his soul looks toward the problems which the Senator mentioned.

Mr. REED of Missouri. The same kind of stethoscope that I would use on my distinguished friend. If I know, as I do know, that he is living an honorable life; if I know, as I do know, that he has one of the finest brains I have ever come in contact with—a little perverted at times when he does not agree with me [laughter]—if I know, as I do know, that every act of his life has been that of an honorable citizen, I know he would make a good citizen for Germany if he went there and swore allegiance, a good citizen for Great Britain if he went there and acknowledged the union jack as his flag, a good citizen of Pennsylvania, a good citizen of the United States except when he thinks too much about Pennsylvania and too little about the rest of us. [Laughter.]

We need not sneer at this; we need not laugh at it. It is an entirely practical problem. I would put this kind of stethoscope upon them. I would establish in those foreign countries a board or commission or a diplomatic representative so that when a man came and asked to be permitted to come to this country he would be compelled to make proof, substantial and real proof, as to the kind of life he had led, as to the kind of man he was, and if they found him to have lived an honorable life, to be self-sustaining, to be clean in body and mind, according to all of the records, we would have to assume that when he came here and swore allegiance to our flag he would be a good citizen. There would be occasionally a rogue get through, just as there is occasionally, only occasionally, a rogue born in America.

That is the stethoscope I would apply, the stethoscope of common sense which we apply every day in every court of our land when we put in evidence the character of a witness or the character of a defendant. There is no mystery about it at all. The truth is there has been aroused considerable agitation in this country to shut out all foreign immigration, a feeling that there was nobody of any value at all unless he was born here. That is a mistake.

Mr. BORAH. Mr. President, may I ask the Senator a question?

Mr. REED of Missouri. Certainly.

Mr. BORAH. The Senator has laid down a principle about which I have not very much disagreement; that is to say, I think if we could have the right kind of people from the different countries we could afford to take in a good many emigrants, but really I do not see how it is possible, except where a man or woman has grown to manhood or womanhood, where their character has been formed, where their lives are known, and so forth, for us to find out anything about the possibilities of good citizenship in the manner suggested by the Senator. I am not willing to extend the bureaucracy of this country so far as to permit it to select our citizenship which is to come here from a foreign country.

I have thought a great deal about this question. I have known the Senator's views. With his broad principle I have not disagreed. I wish we could have a successful sifting process to select the desirable and leave the undesirable. But I should dislike very much to have our citizenship built up out of that kind of material which some board would select from amidst the people of some foreign country.

Mr. REED of Pennsylvania. Mr. President, will the Senator from Missouri yield to me for an observation?

Mr. REED of Missouri. Certainly.

Mr. REED of Pennsylvania. If the method suggested by the Senator were adopted of having a board in each foreign country to examine applicants and determine their character and their fitness upon a review of their past, and if that board disposed of one case every 5 minutes and worked 8 hours a day, it would take over 300 years to dispose of the pending applications for immigration from Italy to the United States.

Mr. REED of Missouri. Very well; then we would have more than one board. Anybody who wants to solve a problem of that kind can do it very easily. There are very many of these cases from certain countries which could be disposed of very rapidly. It is absurd to say that we can examine here at one bureau all of the immigrants who come into this country, but we can not examine them in many bureaus before they come.

Mr. REED of Pennsylvania. Does not the Senator know that each person is examined carefully abroad?

Mr. REED of Missouri. Then the Senator confesses that his argument of a moment ago was not sound, because he said then, in substance, that they could not be examined in 300 years, and now he tells us that they are being examined?

Mr. REED of Pennsylvania. Precisely. Although the Senator may not see the difference, I think all the rest of the Senate will when I say the reason why we can examine them carefully now is that we have limited the number and restricted the flow of immigration so we can examine them.

Mr. REED of Missouri. That is true. We have less people to examine because the number admitted here is limited. I see the point. I thank the Senator for the implication that I could not see it, but I really did see it.

Mr. REED of Pennsylvania. The Senator now begins to talk as if he did see it.

Mr. REED of Missouri. Absolutely.

Mr. REED of Pennsylvania. Then perhaps the Senator would be willing to go a step further and admit that we did a good thing when we restricted the flow of immigration?

Mr. REED of Missouri. I think the restriction of immigration in the manner in which it was done was highly unjust and was a great mistake, although we had probably arrived at a time when there ought to have been brakes put upon immigration. But they were not put on in the right way. When it was proposed to say that we will admit a certain number of people, regardless of the question of the kind of people they were, except for those certain inhibitions which were in the law, we were proceeding along the wrong line. What ought to have been done was to get better people, and we did not have rules and regulations which sufficiently guarded that situation. There is no trouble about doing this thing if we want to do it. It is a mere matter of mechanics.

Let me answer now my friend the Senator from Idaho [Mr. BORAH], who suggests that we agree very largely in principle, but who says, while we may determine with reference to the man who has grown up, how are we going to determine with reference to the young man whose character is not formed, if I understand his statement?

Mr. BORAH. The Senator called attention to the fact that he could judge of the fitness of the Senator from Pennsylvania—

Mr. REED of Missouri. I did not mean that all the immigrants would have to be as old as the Senator from Pennsylvania.

Mr. BORAH. What I had reference to was whether it is a practical proposition to leave a board or commission to determine character and fitness for citizenship in the United States.

Mr. REED of Missouri. I will answer that question in this way: First, let us assume that some of these people are young, and I hope many of them will come young if they come; that is, I hope the majority who do come will be young. It is true their character may not be fully formed. But it is very easy to determine from the character of the parents, from environment, from education, from conduct in life, whether a young man is probably starting right. They will not all go right. They do not all go right in this country when they are raised here, and yet we would have no difficulty, and we have no difficulty, every day in fixing the status of the young men and young women of this country.

Now, with reference to boards and bureaus, the Senator and myself have an equal abhorrence of setting up a vast horde of boards and bureaus to control the American people; but it must be admitted that if we have to examine the people coming into this country it must be made by some human agency, whether we call it a board or a bureau or a commission or a court. I see no harm in those people determining, as a matter of first instance, whether a person is entitled *prima facie* to enter the United States. If he comes here and misbehaves, then, of course, we have our remedy.

Now I wish to say just one word in reply to my friend from Maryland [Mr. Bruce], whom I hold in such high esteem. It is true that we have allowed anarchistic, socialistic, and communistic elements to come in from Europe; but it is also true that that occurred under our old immigration laws, and there is no reason why it can not occur under the present immigration laws. We have simply restricted the quantity. What I am dealing with is the question of quality. I say what we ought to do is to determine, so far as human foresight can determine, the fitness of these people to enter the United States at all in the first instance. When we have done that the question of numbers becomes somewhat secondary.

Mr. REED of Pennsylvania. Is it not true, Mr. President, that every one of the immigrants referred to by the Senator from Maryland who met in Madison Square Garden to praise Lenin and Trotsky entered under the immigration law of 1917, or its predecessors, each of which forbade the entry of anarchists and nihilists, and every one of them had to state, in order to get into the country, that he did not believe in those doctrines? We tried to keep them out in that way, but it did not work.

Mr. REED of Missouri. Mr. President, I do not know under what law they came, for I do not know who was there at the meeting referred to, and the Senator from Pennsylvania does not know under what law they came in.

Mr. REED of Pennsylvania. I know if they are living human beings now and were foreign born, they must have come in under such a law.

Mr. REED of Missouri. They came in under some law, certainly. Then, does the Senator think that none ought to come in? If so, why does he not bring in a bill here to prohibit foreign immigration?

Mr. REED of Pennsylvania. What I mean—I thought I made it clear—is that the indiscriminate admission of immigrants from certain regions resulted in bringing in a great mass of people of that sort. It was impossible to sift them out by any selective process such as the Senator from Missouri recommends.

Mr. REED of Missouri. I do not think that that follows at all, for they came here to this country, and all they had to do was to make an affidavit as to certain things, to make certain formal showings, and in they came. If the Senator from Pennsylvania means, then, that he wants to exclude certain races or the people from certain countries, why do we not face that issue like men and meet it?

Mr. REED of Pennsylvania. I do not mean that; but I do mean that the immigration that we permit to come into this country ought to be of the same composition as nearly as we can arrive at it as the present population of the United States.

Mr. REED of Missouri. Does the Senator mean of the same racial origin?

Mr. REED of Pennsylvania. I do.

Mr. REED of Missouri. Or does he mean having the same class of ideals, hopes, ambitions, energies, and so forth?

Mr. REED of Pennsylvania. I do not believe it is possible to analyze the ambitions and hopes of the immigrants who come in great numbers to this country.

Mr. REED of Missouri. The Senator from Pennsylvania knows what I mean by that. It is not true except he takes me as I mean to be understood; that they are to be people who are fit to become a part of the American Commonwealth and to help perpetuate its institutions. Is that language upon which we can agree?

Mr. REED of Pennsylvania. We can agree on its desirability but not on its practicability. I say that if we can have the immigration of each year resemble in its content the national origins of the present population of the United States that would be the best guaranty of permanency and security for American ideals.

Mr. REED of Missouri. Mr. President, that would vary then just at the time when it happened to be applied.

Mr. BORAH rose.

Mr. SHIPSTEAD. Mr. President, will the Senator from Missouri yield to me?

Mr. REED of Missouri. And it presumes that we have an ideal condition. In just a moment I will yield to the Senator

from Idaho first, and then I will yield to the Senator from Minnesota.

That proposition stated by the Senator from Pennsylvania presumes that we have an ideal condition, that it can not be bettered; that we have exactly the right proportion of blood to-day and it must not be varied from.

Mr. REED of Pennsylvania. It does not mean that; but it means that it was not being bettered by the immigration that we got in recent years.

Mr. REED of Missouri. And so we have adopted a new method which the Senator can not show and nobody else can show will produce any improvement.

The Senator says we ought not to admit anarchists; yet he says the anarchist comes in under this very law; that we ought not permit the socialist to come here—and I am using the term "socialist" now in the sense of some one who in some way is supposed to be allied with anarchy—but we admit him under this law; he comes in. The Senator wants just the same proportion of anarchy and the same proportion of socialism which we have now. That is the Senator's theory "run down to the rat hole."

Mr. REED of Pennsylvania. I did not run to the rat hole—

Mr. REED of Missouri. Well, I have.

Mr. REED of Pennsylvania. Because I did not mention socialists at all. I mentioned anarchists and nihilists.

Mr. REED of Missouri. All right. We have a certain proportion of anarchists and nihilists now; so the Senator wants to preserve that exact proportion all through the ages that are to come and keep on pouring that particular proportion of anarchists and nihilists into the veins of America. I do not agree with the Senator at all.

Mr. REED of Pennsylvania. No; the Senator from Missouri would not, if that were his interpretation; but I should like to explain to the Senator that there is not any country or race known as anarchists and nihilists.

Mr. REED of Missouri. Certainly not. Then I want to say it is ridiculous to go back and raise the question at all, because there is no race that is known as a race of anarchists; there is no race known as a race of nihilists; there is no race that is all bad, and there is no race that is all good. The question to be determined is what the individual is who is coming into this country, not how many people of a particular race came here at some previous time.

Mr. REED of Pennsylvania. In my own time I should like to answer that.

Mr. REED of Missouri. Very well.

Mr. SHIPSTEAD. Mr. President, will the Senator from Missouri yield to me?

Mr. REED of Missouri. I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. The Senator from Pennsylvania said that the Census Bureau had claimed that they had some formula or system by which they could arrive at definite data giving us information of the national origins of our population. I think they made that claim at the time of the passage of the immigration act. The committee which under the law was charged with the work of gathering these data obtained their figures from the Bureau of the Census, and a report from them has been submitted by the President to Congress.

The letter of transmittal and the report referred to are as follows:

To the Senate:

I am sending herewith a copy of the letter of transmission which accompanied the report of the Secretary of State, the Secretary of Commerce, and the Secretary of Labor, in the matter of the immigration law relating to national origins to replace an inaccurate copy which was inadvertently forwarded to the Senate with such report.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 10, 1927.

JANUARY 3, 1927.

The President,

The White House, Washington, D. C.

DEAR MR. PRESIDENT: Pursuant to the provisions of sections 11 and 12 of the immigration act of 1924, we have the honor to transmit herewith the preliminary report of the subcommittee appointed by us.

The report of the subcommittee is self-explanatory and is stated to be a preliminary report, yet, in the judgment of that committee, further investigation will not substantially alter this presentation.

Although this is the best information we have been able to secure, we wish to call attention to the reservations made by the committee and to state that in our opinion the statistical and historical information available raises grave doubts as to the whole value of these com-

putations as a basis for the purposes intended. We therefore can not assume responsibility for such conclusions under these circumstances.

Yours faithfully,

FRANK B. KELLOGG,
Secretary of State, Department of State.
HERBERT HOOVER,
Secretary of Commerce, Department of Commerce.
JAMES J. DAVIS,
Secretary of Labor, Department of Labor.
IMMIGRATION QUOTAS

Provisional immigration quotas based on national origin as provided by the immigration act of 1924; also present immigration quotas as based on 1890 foreign-born population; and estimated quotas on national-origin basis as submitted to Congress when the act of 1924 was under consideration

Country of origin	Provisional quotas on basis of national origin	Present quotas based on 1890 foreign-born population	Estimated quotas on national origin basis as submitted to Congress in 1924
Total.....	153,541	164,667	150,000
Afghanistan.....	100	100	.....
Albania.....	100	100	100
Andorra.....	100	100	100
Arabian Peninsula.....	100	100	.....
Armenia.....	100	124	100
Australia, etc.....	100	121	100
Austria.....	1,486	785	2,171
Belgium.....	410	512	251
Bhutan.....	100	100	.....
Bulgaria.....	100	100	100
Cameroon (British).....	100	100	.....
Cameroon (French).....	100	100	.....
China.....	100	100	.....
Czechoslovakia.....	2,248	3,073	1,359
Danzig.....	122	228	100
Denmark.....	1,044	2,789	945
Egypt.....	100	100	100
Estonia.....	109	124	325
Ethiopia (Abyssinia).....	100	100	100
Finland.....	559	471	517
France.....	3,837	3,954	1,772
Germany.....	23,428	51,227	20,028
Great Britain and Northern Ireland.....	73,039	34,007	85,135
Greece.....	367	100	384
Hungary.....	967	473	1,521
Iceland.....	100	100	100
India.....	100	100	.....
Iraq (Mesopotamia).....	100	100	.....
Irish Free State.....	13,862	28,567	8,330
Italy, etc.....	6,091	3,845	5,716
Japan.....	100	100	.....
Latvia.....	184	142	384
Liberia.....	100	100	100
Liechtenstein.....	100	100	100
Lithuania.....	494	344	458
Luxembourg.....	100	100	100
Monaco.....	100	100	100
Morocco.....	100	100	100
Muscat (Oman).....	100	100	.....
Nauru.....	100	100	.....
Nepal.....	100	100	.....
Netherlands.....	2,421	1,648	2,762
New Zealand, etc.....	100	100	100
Norway.....	2,267	6,453	2,053
New Guinea, etc.....	100	100	100
Palestine.....	100	100	100
Persia.....	100	100	100
Poland.....	4,978	5,982	4,535
Portugal.....	290	503	236
Ruanda and Urundi.....	100	100	.....
Rumania.....	516	603	222
Russia.....	4,781	2,248	4,002
Samoa.....	100	100	.....
Samoa, western.....	100	100	100
San Marino.....	100	100	.....
Siam.....	100	100	100
South Africa, Union of.....	100	100	.....
South West Africa.....	100	100	.....
Spain.....	674	131	148
Sweden.....	3,259	9,561	3,072
Switzerland.....	1,198	2,081	783
Syria and the Lebanon.....	100	100	100
Tanganyika.....	100	100	.....
Togoland (British).....	100	100	.....
Togoland (French).....	100	100	.....
Turkey.....	233	100	100
Yap, etc.....	100	100	.....
Yugoslavia.....	777	671	591

¹ Includes Fieume (100) and Hejaz (100).

Mr. SHIPSTEAD. I think it is fair to assume that the committee composed of the three secretaries had all the data and formulas made available by the Bureau of the Census and that they made use of them. I should like to know if the Senator from Pennsylvania has any additional information upon which to base an argument that other formulas or other data are available now which will bolster the argument for the national origins clause.

Mr. REED of Pennsylvania. Yes. What the Senator has read is an expression of the three secretaries and not of the committee of experts. If the Senator will read further in the same document, he will find that the report of the committee indicates a rather complete confidence in the result that they are going to be able to work out.

I might say further that the Director of the Census within a few days has testified before the House committee that the margin of error in the figures which have been published is very small, and that if the benefit of the doubt were given the protesting nationalities, the figures would still be substantially as they are here. He testified that, resolving every doubt in favor of the German claims, for example, the German quota on national origins would not in any event be more than 27,000, and the quota of the Irish Free State would not in any event be over 19,000. That necessarily means that in claiming a larger quota those countries are claiming more than their fair share if we are to take into consideration all of the individuals in the United States.

Mr. SHIPSTEAD. Mr. President, if the Senator from Missouri will permit me, I do not desire to prolong the consideration of the joint resolution. I wish simply to state that the bill which I introduced for the repeal of the national-origins clause is based upon the argument that there are no reliable statistics or data upon which the national origins of our population can be arrived at. At some future time I shall take occasion to address the Senate upon the evidence that is available to show that that argument, I think, is good.

I should like to ask the Senator from Missouri just one more question, and then I shall not bother him further. I should like to ask the Senator if he does not think it would be a good idea to write an immigration law prohibiting immigration and making it retroactive back to 1492? [Laughter.]

Mr. REED of Missouri. Mr. President, as I do not belong to the class of restrictionists, I suggest that the question be submitted to my distinguished friend, the Senator from Pennsylvania. Perhaps he can answer it.

Mr. REED of Pennsylvania. Mr. President—

The VICE PRESIDENT. The Senator from Pennsylvania.

Mr. REED of Pennsylvania. Do I understand that the Senator has yielded the floor?

Mr. REED of Missouri. I yield to the Senator from Pennsylvania to answer the last question, and then I will yield the floor to him generally.

Mr. REED of Pennsylvania. Mr. President, I do not wish to take more time from the consideration of the naval appropriation bill but in a very few words I should like to answer a few of the suggestions made by the Senator from Missouri.

Mr. HALE. Mr. President, I do not wish to be impatient with Senators, but the Senator from California assured me when he presented the joint resolution that it would not take more than a very few minutes and that if it did he would not press it.

Mr. REED of Pennsylvania. The Senator from California probably would not think we had taken more than a few minutes, because he is very much interested in this subject.

Mr. HALE. But he assured me that if he could be permitted to have the joint resolution considered, he would see that we got back to the naval appropriation bill.

Mr. REED of Pennsylvania. We will suppose, then, that I am talking about the naval appropriation bill.

Mr. HALE. I should like to know, Mr. President, and I ask the parliamentary question, What is now before the Senate?

The VICE PRESIDENT. The Chair understood the Senator from Alabama objected to the consideration of the joint resolution reported by the Senator from California. Therefore, the naval appropriation bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. DILL. Mr. President, I have two amendments pending to the naval appropriation bill which I wish to call up as soon as the committee amendments shall have been disposed of.

The VICE PRESIDENT. Did the Senator from Alabama object to the consideration of the joint resolution?

Mr. HEFLIN. Mr. President, I have had an opportunity to look into the joint resolution. The law is now upon the statute books, and the joint resolution extends the time for one year. I withdraw my objection to the present consideration of the joint resolution.

The VICE PRESIDENT. The objection is withdrawn. The resolution is before the Senate as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JOHNSON. I thank the Senator from Maine for yielding.

The VICE PRESIDENT. The Senate resumes consideration of House bill 15641, the naval appropriation bill.

Mr. REED of Pennsylvania. Mr. President, addressing myself now to the naval appropriation bill, I am sorry that the Senator from Missouri has left the Chamber, because he is not wholly incapable of conversion, I hope, and there are a number of things about immigration which, so far as could be discovered from his remarks, have not yet occurred to him.

In 1924 it had become perfectly apparent to the people of this country that the unrestricted flow of immigration into the United States was almost an unmixed national evil. We had discovered that in our great cities and in many rural districts colonies of newly arrived immigrants had gathered together where English was neither spoken nor understood. We had found the number of newspapers in foreign languages increasing constantly. We had found that particularly in our cities there were vast numbers of people who did not understand nor care for the system of government that prevails in this country. More than that, Mr. President, the American workman was beginning to see that the high standard of living that prevailed in this country as compared with the low standard everywhere else was acting as a magnet to draw to America vast throngs of men who were going to try to take from the American the job that was his; and it became obvious, both from the standpoint of an effective democracy here and from the standpoint of protecting the American workman in his job, that we had to stop the unregulated inflow of aliens to the United States.

Mr. REED of Missouri. Mr. President—

Mr. REED of Pennsylvania. I yield to the Senator.

Mr. REED of Missouri. What restrictions were put on Mexican immigration?

Mr. REED of Pennsylvania. Mr. President, no restriction was added as far as Mexican immigration went, because at that time it was not considered practicable to enforce it; and we have enough laws—and the Senator will agree with me in this—in this country that we are not able to enforce.

Mr. REED of Missouri. May I ask why it is not practicable to enforce it?

Mr. REED of Pennsylvania. Because of the long Mexican border and the frontier that can be crossed by anyone at will at any time; and it is practically impossible to stop it, or was then.

Mr. REED of Missouri. Why, Mr. President, if I may use a slang expression, you can "spot" a Mexican a half mile off.

Mr. REED of Pennsylvania. Not in Texas.

Mr. REED of Missouri. He is the easiest man detected that can be brought into this country.

Mr. REED of Pennsylvania. The Senator has not been in Texas or Arizona or New Mexico lately, or he would not say that.

Mr. REED of Missouri. I do not know; I apprehend that I have been there later than my friend; but we have them now by the thousand in my city, taking the place of American workmen, working for any wages they can get. By tens of thousands they are flocking into other cities, and I just wonder why Mexican labor is not quite as detrimental as white labor.

Mr. REED of Pennsylvania. Mr. President, I think it is; and I think, further, that Mexico ought to be put under the quota system and given a comparatively small quota. Now that our border patrol is for the first time able to cope with the problem, I had hoped that Mexico would be put under a quota this year, and I feel confident that it will be next year.

Mr. REED of Missouri. Let me ask, while we are on that subject, about the colored population that we are admitting without limit from the West Indies.

Mr. REED of Pennsylvania. We are not admitting colored population without limit from the West Indies, because most of the West Indian Islands are colonies of European countries and are covered by the quotas of those countries; and from Haiti and the Dominican Republic the number of arrivals is smaller than the number of departures.

Mr. REED of Missouri. But there is no limit, is there?

Mr. REED of Pennsylvania. There does not need to be a limit.

Mr. REED of Missouri. You think so now, but you do not know when it will happen; and, as a matter of fact, when this matter was up and we tried to put a limit on the colored population coming in, I noticed that the Senators on the other side of the Chamber, possibly having some consideration for future elections, all voted to let the colored people come in.

Mr. REED of Pennsylvania. It must have shocked the Senator horribly—

Mr. REED of Missouri. It did.

Mr. REED of Pennsylvania. To have anyone think of elections in connection with this subject.

Mr. REED of Missouri. It does shock the Senator from Missouri to find Senators who are thinking of elections enough so that they are willing to put colored blood from foreign countries in here and then want to exclude white blood. It does shock him.

Mr. REED of Pennsylvania. As a matter of fact, nothing of that sort was done. The countries not under a quota system, excepting only Mexico and Canada, take away more people from the United States each year than they send to us; and that is true of South America and of the West Indies and of Central America, outside of Mexico.

Last year we took in a total of 59,785 Mexicans, and there were departures of some 5,000, a net increase of 54,000 Mexicans. I should like to see a quota put on that immigration which would cut it down to a very small percentage of that figure.

But, Mr. President, to finish as quickly as I may this matter of the necessity for immigration restriction, the whole country called for a numerical restriction of immigration. For years we have had an attempted system of selection; but, dealing with the great mass of individuals that the immigration inspectors had to deal with, it was a physical impossibility to know whether those people would or would not make desirable citizens when they got here, and from the economic standpoint numerical restriction was imperative.

The act of 1924, in my judgment, has deservedly been called America's second Declaration of Independence.

Mr. REED of Missouri. Mr. President, who ever called it that?

Mr. REED of Pennsylvania. I read an article by Henry H. Curran, who has had—

Mr. REED of Missouri. "America's second Declaration of Independence," when it limited the number of foreigners who could come in?

Mr. REED of Pennsylvania. Yes.

Mr. REED of Missouri. He knew more about making phrases than he did about other things, in my opinion.

Mr. REED of Pennsylvania. Perhaps a number of us are imbued with what the Senator from Missouri calls "this idiotic doctrine"; but I will say that if this had not been adopted there are millions of American workmen to-day who would be out of a job and some foreigner would be doing the work instead of them.

Mr. REED of Missouri. Does the Senator mean to say that if the suggestion I made had been adopted there would have been millions of labor out of employment in this country?

Mr. REED of Pennsylvania. I understood the Senator to recommend the abolition of numerical limitations. If that had been adopted, yes.

Mr. REED of Missouri. And the substitution for it of a selective immigration which was so limited that people could not come here from foreign countries unless they were fitted for American citizenship.

Mr. REED of Pennsylvania. Precisely; I do say that.

Mr. REED of Missouri. The Senator can not say how many would have come in under that rule, and hence he can not say that American labor would have been driven out of employment.

Mr. REED of Pennsylvania. Yes; I can say how many would have come in under that rule, because we have been trying selective immigration for many years. We have been trying to get literates, people who could read and write. We have been trying to get people who did not believe in anarchy and the overthrow of government by force. We have been trying to get people who were healthy and free of physical diseases, and we have been trying to get people who were not convicted criminals or members of professional criminal classes; and yet, Mr. President, we have had to deport thousands of them after their arrival here because our attempted selection was such a failure.

Mr. REED of Missouri. And at the same time we were sending thousands of native-born American citizens to the penitentiary because they did not live up to the ideals of civilization. That proves nothing.

Mr. REED of Pennsylvania. That is no answer at all. I say that your effort to enforce a selective system of immigration will not work.

Mr. REED of Missouri. I do not want to interrupt the Senator—

Mr. REED of Pennsylvania. That is all right.

Mr. REED of Missouri. But does the Senator undertake to say that we had ever set up a real machinery of selective immigration until in the last few months there have been a few tribunals of some kind established in a few of the countries?

Mr. REED of Pennsylvania. I say that we have been trying all along to some extent to select immigration. We have only succeeded in recent months because we have limited the number

at the same time. Of course, it is ideal to think that we will comb the best out of the citizenry of these foreign nations and admit them to America; it would be a great thing if we were able to do it; but it will not work, Mr. President. Your system of selection would either become a system for political pull—yes; I mean admitting people under favoritism, pretending that you are selecting them; every Congressman would be appealed to by the relatives of intending immigrants, and the system of selection would be subject to indefinite political pull—or else, in its effort to be conscientious, it would absolutely break down.

At this moment there are applications on file for 1,421,000 immigration visas. I do not care how many courts you set up abroad within the bounds of practicability; you can not examine those people as fast as their applications come in.

Mr. REED of Missouri. Why, certainly not; but if you could not examine them as fast as their applications came in, that would only be a restriction upon the number who came in, and the Senator's heart would be delighted by every one of them that was rejected, so he would be getting a limitation of restriction because of inability to examine all of them. At the same time he would be getting some kind of a finding as to their fitness.

The Senator makes a strange statement to me—perhaps he is correct—that these boards would not function honestly, that they would be influenced, that they would be used for political purposes. Possibly that is true; but, if it is true, it is a sad commentary upon the official life of this Nation.

Mr. REED of Pennsylvania. Then perhaps it needs the sad commentary, because the fact is that at the present time only the rigid rule of the State Department against granting any preference to anybody under any circumstances is able to withstand the congressional pressure to get people in under the present rule by favoritism.

Mr. REED of Missouri. Very well; then that is a general indictment of all the public servants. I do not know but that it is justified. You Republicans have been in power a good while. You may have gotten just that rotten, that you can not be trusted. I still believe, however, that there are enough honest men in this country to administer this Government; and if there are, we had better open the floodgates and let some honest foreigners come in and purify our contaminated democracy.

Mr. BRUCE. Mr. President—

Mr. REED of Pennsylvania. Will not the Senator allow me to finish?

Mr. BRUCE. Will the Senator yield to me just for a moment? I merely desire to ask him two very brief questions.

Mr. REED of Pennsylvania. I yield to the Senator from Maryland.

Mr. BRUCE. I should like to ask the Senator, first of all, whether he thinks this national-origins idea is a workable idea or not. I have great respect for any conclusion reached by the Senator; he knows that; and I should like to know, for my own guidance, his view on that subject.

Mr. REED of Pennsylvania. Yes; Mr. President.

Mr. BRUCE. The Senator thinks it is?

Mr. REED of Pennsylvania. If the Senator will permit me, I will address myself to that phase of the subject and finish it.

Mr. BRUCE. I will ask the other question now, because the Senator can cover that at the same time. Does the Senator think there is any real reason for deferring the operation of the national-origins idea?

Mr. REED of Pennsylvania. Yes, Mr. President; I do. If we have determined to limit the immigration into this country by numerical limitations, the next question is, What method of allotment of those numbers are we going to adopt?

In the temporary law of 1921 we took the last census that we knew anything about—that was the census of 1910—and we said: "The number of immigrants shall be 3 per cent each year of the number of foreign-born of each nationality." That is to say, if there were in America a hundred thousand persons born in Sweden, the Swedish quota would be 3,000 per year.

That method obviously wholly ignored all American-born persons. The only persons who were reflected in the quotas then were the foreign born, and every one of us who was born in America was utterly ignored in the calculation of the quota. It was realized—it had to be realized—that that gave a result that was quite out of harmony with the racial make-up of the American Nation as it then stood.

So, when we came to the permanent law of 1924, it was suggested that in order to get more at the average American we should base our quotas on the census of 1790, basing them on the number of foreign born shown by that census, because the theory was that the foreign born at that time in America

were more like all the rest of us than were the foreign born of years later.

That gave us a result of 51,000 persons in the German quota out of a total of 163,000. I do not believe anybody would contend that five-sixteenths of the United States is German. It gave a quota for Great Britain; that is, England, Scotland, Wales, and Ulster (Northern Ireland), of some 34,000. I do not believe anybody would contend that so little as three-sixteenths of America is British in origin. Obviously, there was some injustice in giving almost 50 per cent more to Germany than to Great Britain, and similar cases of injustice were found, and can be found, if Senators will look down through the list.

Mr. REED of Missouri. Mr. President, if the Senator will pardon me, it is equally obvious that under this new schedule it is quite as unjust to claim that 73,000 British immigrants should come in and only 23,000 Germans. That is quite as much out of harmony with the original national ratio.

Mr. REED of Pennsylvania. I am not so sure that it is. I think the quota for Great Britain is too high, frankly, and I would like to see it lowered.

Mr. REED of Missouri. Then, manifestly, these people have made a mistake in the figures.

Mr. REED of Pennsylvania. No; I do not think that follows at all. I do not think we can say yet whether that is so or not.

Mr. JOHNSON. Mr. President, will the Senator pardon me? I have taken no part in this debate at all, but may I just say to him that I disagree with him in his response to the Senator from Maryland, that the national origins system is at present at all workable, and I want to call attention, if he will permit me, in just an instant of his time—

Mr. REED of Pennsylvania. Surely.

Mr. JOHNSON. To the two messages that came in here upon this subject. They present about as anomalous a situation as could be presented, and one that is wholly incomprehensible to me.

The three Secretaries—the Secretary of State, the Secretary of Commerce, and the Secretary of Labor—presented, first, a report dated December 16, 1926, as will be observed from the document which I think the Senator from Maryland has in his hand, dealing with this subject, in which it is stated:

We have found our task by no means simple, but we are carrying it out by methods which we believe to be statistically correct, utilizing the data that are available in accordance with what seems to us to be the intent and meaning of the law. We have not completed our work, but the figures which we are submitting for your information, though provisional and subject to revision, indicate approximately what the final results will be.

Thereupon follow subsequently the figures giving the quotas from the various countries in accordance with the national-origins idea.

The day following the receipt of this message there came another message to the Congress of the United States, in which it was asserted that there had been an inaccuracy in the former message, and in which it was asserted as well by the three Secretaries:

Although this is the best information we have been able to secure, we wish to call attention to the reservations made by the committee and to state that, in our opinion, the statistical and historical information available raises grave doubts as to the whole value of these computations as a basis for the purposes intended. We therefore can not assume responsibility for such conclusions under these circumstances.

Because of these two absolutely contradictory messages coming to the Senate, one on a day following the other, a majority of the committee, I think, reached the conclusion that it could base no legislation of any kind or character upon the statistics that were presented by the original message.

Mr. REED of Pennsylvania. Now, Mr. President, a word as to the national origins. It was obvious that any method of basing quotas on the number of foreign born here at any time was bound to be unfair to the native born. Logically, then, the thing to do was to find out, if we could, what system of quotas would, as nearly as possible, reflect the whole population of the United States, taking into account both native born and foreign born in the calculation of those quotas.

It was not, as my friend from Missouri calls it, an idiotic thing to do. It was based upon a report made in 1910 by the Census Bureau, in which they had undertaken to state the racial composition of the United States. At least, it was a praiseworthy attempt to be impartial, and while we may have been idiotic, it was the product of many months of hard work on the part of your committee that had that bill in charge.

Mr. REED of Missouri. Mr. President, I withdraw the adjective "idiotic."

Mr. REED of Pennsylvania. Will the Senator also withdraw "asinine" and "imbecile"? I think he used both of those.

Mr. REED of Missouri. No; those naturally sprang up in the Senator's own mind. That is where they originated.

Mr. REED of Pennsylvania. The Senator was talking to the other side of the Chamber, and I could only hear the echo, but it sounded like that.

Mr. BRUCE. I expect the Senator meant "benevolent."

Mr. REED of Missouri. I was going to substitute for "idiotic" the language that is now certified to us by the Secretary of State and his associates, that it has been found "unreliable and impracticable." If a thing is unreliable and impracticable, proceeding from that point, everyone may use his own adjective to characterize it.

Mr. REED of Pennsylvania. We may not even then travel together far.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. REED of Pennsylvania. I yield to the Senator.

Mr. COPELAND. I assume, since the resolution has passed, that we hardly need to argue it, but I do want to call attention, while the Senator is talking about national origins, to the unreliability of the census of 1790.

Mr. REED of Pennsylvania. The Senator need not argue it. I will admit it. In many cases in the census of 1790 the same individual is mentioned over and over again. In many cases in the muster rolls at the time of the Revolutionary War the same individual is mentioned over and over again, and it is very hard to make any precise calculations based on either of those documents. But there are certain well-defined limits of error, according to the Census Bureau, and it was testified within the week, I think or last week, by the Director of the Census, that the degree of error possible in these calculations is known, and that the extremes within which the truth lies can very definitely be stated.

Now just to answer the Senator from Maryland, because I have delayed an answer long enough: I do believe that the national-origin system is practicable and just. I believe that it ought not to be put in force on the strength of this preliminary report, which is frankly stated to be preliminary, and I am very glad that the Senate has reached the conclusion to allow these experts another year to work out the figures more definitely. I believe that when they come to make their final report, it will stand analysis and attack successfully.

Mr. REED of Missouri. Mr. President, I simply want to say one word. I think we now understand the theory of my friend from Pennsylvania. It is that if a man is one-tenth Irish, one-seventh German, one-fourth French, and so forth—

Mr. REED of Pennsylvania. The arithmetic of the situation is such that one could not be one-seventh of anything, is it not?

Mr. REED of Missouri. I think not. I think I can figure that out so as to get one-seventh. But we will not quarrel about the mathematics. So that each of these proportions in his blood will feel a sense of great satisfaction to know that there is the same proportion of people coming into this country now as represented by each of these particular portions of his blood strain.

Mr. REED of Pennsylvania. They will get the same glow that the Senator would in finding that a disproportionate number of some nationality was coming in.

Mr. REED of Missouri. And that will be a source of great consolation to the American people. I remark this, in conclusion, that the destiny of this race to which we belong is not, in the first place, determined by exact proportions of blood; and if it were, the admixture in the past and up to the present is not necessarily the best or most perfect that can be made. It may be, for instance, that my friend and myself are too much Irish, or that we have too much Scotch in us, and that it might improve either one of us if we were crossed with a German. It may be so with this race, and it seems to me that an intelligent view of the whole proposition is this, that we should first of all try to keep America from retrograding, from bringing dangerous elements into our life from other countries, and by "dangerous elements" I mean those who will not measure up to the standard of good citizenship in their own persons and in their posterity. But when that rule has been set up, it is equally profitable to us to bring in those people who can contribute to the general welfare of the country, who meet the standards of citizenship, giving us what we need to make this what it ought to be, the leading country of the world.

Mr. BRUCE. Mr. President, it seems to me that it might be questioned whether we really need, from an economic standpoint, to bring in any immigrants at all. I do not know

whether the attention of the Senator has been directed to this phase of the subject or not, though his range of study and knowledge is so wide that it doubtless has been; but it is the opinion of political economists, for instance, of the late Francis J. Walker, and other economists that I might mention, that the population of this country would be just as large as it is to-day if not one single, solitary immigrant had ever landed upon our shores since the end of our War of Independence.

The idea is that the effect of letting in from time to time immigrants accustomed to harder conditions of living than ours has been to check early marriage and to keep down the propagation of our native population. Benjamin Franklin, for instance, mentions the fact that during the War of the Revolution or about that time—I forget which at this moment—notwithstanding the fact that the early streams of American colonization had ceased almost entirely, our domestic population was doubling itself every 25 years. We have never in our history, I believe, had any higher rate of increase than that.

Another very interesting fact is that in the South, to which comparatively little immigration has come, the population has, if I am not mistaken, multiplied at that rate, too. If the views of the economists that I have mentioned are correct, why, I repeat, should we trouble about immigration at all?

Our own natives and present foreign-born citizens would see to the multiplication and they would increase without any foreign aid if we only continue to maintain our present easy conditions of living in this country. That is the point: The capacity of the human species for rapid multiplication under congenial circumstances is almost infinite. What keeps down a population is competition regulated by a low standard of wages. It is that which operates as a check upon early marriage and the quickened multiplication of human beings which flows from early marriage. If we look into the philosophy of the thing, this is an important aspect of the whole immigration question. If it is not particularly desirable that we should have any more immigrants in this country, if it is desirable that the present liberal rate of wages which our own working people, native and naturalized, obtain should be perpetuated, why should we concern ourselves acutely about any foreign immigration, whether English, Irish, German, Scandinavian, or Italian? Our first duty is to our own people, those who are within our gates, not simply our native but also our naturalized stock. I echo most earnestly one view expressed by the Senator from Pennsylvania [Mr. REED] a few moments ago. I think that we ought to apply the immigration quota system to immigrants from Mexico and possibly some other countries to which it does not apply. Of course, I recognize the great benefit that has resulted to the United States from the many different strains that have entered into the blood of its people, and I am not advocating any contraction in the present volume of immigration so far as Europe is concerned. What I have said I have said merely by way of intimating that I do not go so far as the Senator from Missouri in favoring foreign emigration to our land.

Mr. REED of Missouri. Mr. President, I was saying, or endeavoring to say, that my opinion is that we ought not to admit a population here to lower the standards of America; but, on the other hand, we ought not to shut out a population which will help us maintain and possibly improve our standing. Now, the question is how that result can be obtained. It can not be obtained by a racial quota. It can not be obtained by a numerical quota. If it is a bad thing, as my friend from Maryland, for whom I have so much respect, rather intimates to let any foreigners come in at all, then we ought to stop all immigration.

Mr. BRUCE. Mr. President, will the Senator yield?

Mr. REED of Missouri. Certainly.

Mr. BRUCE. I did not mean to convey the impression that there is anything bad about it. Of course, I think the superior virtues of native stock in many respects are very much exaggerated. The point I make is that the effect of an influx of foreign immigration is to lower the wages of our own people, to make life a lot more arduous for our own American workingmen, and we can refurnish our population through native agencies without any extraneous aid, then it does seem to me it is quite questionable whether there is any particular reason why we should be especially liberal in the matter of letting immigrants into the country.

Mr. REED of Missouri. To continue what I was saying, if it is undesirable even to let anyone in, of course, the way to settle that question is to bar them all. I do not hold to the opinion that we can not profit by getting the better class of the better nations of Europe. I think they are a distinct contribution when they come here, inspired by the same ambitions that inspired our ancestors when they came here. I think that if we

had their great scientists, their great teachers, their great writers, and some of their sturdy citizenry, it would be a distinct contribution. Instead of bringing in Mexicans to do the labor of the country, I would rather bring in white people from those countries.

Mr. BRUCE. May I remind the Senator that that class is not excluded at all by the quota provisions? They fall within the nonquota class—students, teachers, and what not.

Mr. REED of Missouri. But the classes I have mentioned are not generally admitted. Without going into detail, because it takes too much time to follow details, I am discussing principles. I perfectly well know that in the early days of the country the increase of our native population was rapid. That has happened in every new country where the people have been able to maintain themselves against the adversities of nature. It seems to be a natural law. But I have no time to spend with anyone who sits down and figures out or concludes that he can figure out the problem of race procreation and go back 150 or 200 or 300 years and say that he can tell us that we would have had as many people here as we have through immigration and other causes.

I agree with what the Senator from Maryland states, that generally and broadly speaking economic conditions have a great deal to do with the increase of population. But that is not always true. I think if he will visit some of the Southern States, as he probably has, and see the pickaninies rolling out of the cabins that have roofs one could throw a cat through, he would know that there is something to be considered beside economic conditions in the matter of race multiplication. But if the rule were universal it would seem that all the streets of our cities under present high wages and easy methods of living would be filled with flocks of toddling infants. I do not believe there has been any remarkable increase in child birth in the country in the last two or three years. The fact about the matter is that I am afraid we are making so much money now and living has come to be such an enormous thing that a lot of young people think they can not afford to get married at all. But that is aside from the question, and I have taken a great deal of time when I only rose originally to talk not over five minutes.

I hope we are going to approach a condition where we are either going to say that no foreigner can come here at all or else we are going to adopt a system by which, as nearly as it may be humanly accomplished, we will select the people who come here and we will exclude those who are not fit to become American citizens. If we follow that rule it is immaterial whether a few more of them come from one of the countries of Europe or come from some other country of Europe. I think that is the sane and sound method to pursue.

But in the meantime, since we have the law upon the statute books and can not get rid of it probably at this session, it is, of course, wise to give further time to determine the question, so that the President will not be called upon to act upon information which it is now admitted is utterly inadequate and entirely unreliable.

Mr. LA FOLLETTE. Mr. President, I desire to ask unanimous consent that as a part of the debate upon the joint resolution, which has already passed the Senate, there may be printed in the RECORD a short hearing held by the Immigration Committee of the Senate on Wednesday, December 22, 1926.

The VICE PRESIDENT. Without objection, it is so ordered. The hearing is as follows:

IMMIGRATION OF ALIENS INTO THE UNITED STATES

UNITED STATES SENATE,
COMMITTEE ON IMMIGRATION,
Washington, D. C., Wednesday, December 22, 1926.

The committee met, pursuant to adjournment, at 10.30 o'clock a. m., in the committee room, Capitol, Senator HIRAM W. JOHNSON presiding.
Present: Senators JOHNSON (chairman), WILLIS, and REED of Pennsylvania.

The committee thereupon proceeded to the consideration of the bill (S. 4425) to amend sections 11 and 12 of an act to limit the immigration of aliens into the United States, and for other purposes, approved May 26, 1924, which is here printed in full:

(S. 4425)

"A bill to amend sections 11 and 12 of an act to limit the immigration of aliens into the United States, and for other purposes, approved May 26, 1924

"Be it enacted, etc., That section 11 of an act to limit the immigration of aliens into the United States, and for other purposes, approved May 26, 1924, be amended so as to read as follows:

"Sec. 11. (a) The annual quota of any nationality shall be 2 per cent of the number of foreign-born individuals of such nationality resident in continental United States as determined by the United States census of 1890, but the minimum quota of any nationality shall be 100.

"(b) There shall be issued to quota immigrants of any nationality (1) no more immigration visas in any fiscal year than the quota for such nationality, and (2) in any calendar month of any fiscal year no more immigration visas than 10 per cent of the quota for such nationality, except that if such quota is less than 300 the number to be issued in any calendar month shall be prescribed by the Commissioner General, with the approval of the Secretary of Labor, but the total number to be issued during the fiscal year shall not be in excess of the quota for such nationality.

"(c) Nothing in this act shall prevent the issuance (without increasing the total number of immigration visas which may be issued) of an immigration visa to an immigrant as a quota immigrant even though he is a nonquota immigrant."

"Sec. 2. That section 12 of said act be amended so as to read as follows:

"Sec. 12. (a) For the purposes of this act nationality shall be determined by country of birth, treating as separate countries the colonies, dependencies, or self-governing dominions, for which separate enumeration was made in the United States census of 1890; except that (1) the nationality of a child under 21 years of age not born in the United States, accompanied by its alien parent not born in the United States, shall be determined by the country of birth of such parent if such parent is entitled to an immigration visa, and the nationality of a child under 21 years of age not born in the United States, accompanied by both alien parents not born in the United States, shall be determined by the country of birth of the father if the father is entitled to an immigration visa; and (2) if a wife is of a different nationality from her alien husband and the entire number of immigration visas which may be issued to quota immigrants of her nationality for the calendar month has already been issued, her nationality may be determined by the country of birth of her husband, if she is accompanying him and he is entitled to an immigration visa, unless the total number of immigration visas which may be issued to quota immigrants of the nationality of the husband for the calendar month has already been issued. An immigrant born in the United States who has lost his United States citizenship shall be considered as having been born in the country of which he is a citizen or subject, or if he is not a citizen or subject of any country, then in the country from which he comes.

"(b) The Secretary of State, the Secretary of Commerce, and the Secretary of Labor jointly shall, as soon as feasible after the enactment of this act, prepare a statement showing the number of individuals of the various nationalities resident in continental United States as determined by the United States census of 1890, which statement shall be the population basis for the purposes of subdivision (a) of section 11. In the case of a country recognized by the United States, but for which a separate enumeration was not made in the census of 1890, the number of individuals born in such country and resident in continental United States in 1890, as estimated by such officials jointly, shall be considered for the purposes of subdivision (a) of section 11 as having been determined by the United States census of 1890. In the case of a colony or dependency existing before 1890, but for which a separate enumeration was not made in the census of 1890, and which was not included in the enumeration for the country to which such colony or dependency belonged, or in the case of territory administered under a protectorate, the number of individuals born in such colony, dependency, or territory and resident in continental United States in 1890, as estimated by such officials jointly, shall be considered for the purposes of subdivision (a) of section 11 as having been determined by the United States census of 1890 to have been born in the country to which such colony or dependency belonged or which administers such protectorate.

"(c) In case of changes in political boundaries in foreign countries occurring subsequent to 1890 and resulting in the creation of new countries the governments of which are recognized by the United States, or in the establishment of self-governing dominions, or in the transfer of territory from one country to another, such transfer being recognized by the United States, or in the surrender by one country of territory the transfer of which to another country has not been recognized by the United States, or in the administration of territories under mandates, (1) such officials jointly shall estimate the number of individuals resident in continental United States in 1890 who were born within the area included in such new countries or self-governing dominions or in such territory so transferred or surrendered or administered under a mandate, and revise (for the purposes of subdivision (a) of section 11) the population basis as to each country involved in such change of political boundary. For the purpose of such revision and for the purpose of determining the nationality of an immigrant, (A) aliens born in the area included in any such new country or self-governing dominion shall be considered as having been born in such country or dominion, and

aliens born in any territory so transferred shall be considered as having been born in the country to which such territory was transferred, and (B) territory so surrendered or administered under a mandate shall be treated as a separate country. Such treatment of territory administered under a mandate shall not constitute consent by the United States to the proposed mandate where the United States has not consented in a treaty to the administration of the territory by a mandatory power.

"(d) The statements, estimates, and revisions provided in this section shall be made annually.

"(e) Such officials shall jointly report annually to the President the quota of each nationality under subdivision (a) of section 11, together with the statements, estimates, and revisions provided for in this section. The President shall proclaim and make known the quotas so reported, and thereafter such quotas shall continue, with the same effect as if specifically stated herein, for all fiscal years."

The CHAIRMAN. The committee will please come to order. Senator SHIPSTEAD, I understand that you have a bill pending before the Senate upon which you desire to present your views.

Senator SHIPSTEAD. Yes.

The CHAIRMAN. We shall be very glad to have you do so. Will you proceed?

STATEMENT OF HON. HENRIK SHIPSTEAD, SENATOR FROM THE STATE OF MINNESOTA

Senator SHIPSTEAD. I have prepared a condensed résumé, which is the result of a great deal of study of the so-called national-origin clause of the immigration act, and I will go through it as hurriedly as I can, because I think it ought to be in the record for the consideration of the committee.

The CHAIRMAN. All right, sir.

Senator SHIPSTEAD. As I go along with this statement, in order to save time and not impose upon the committee, if you care to ask me any questions I will be very glad to answer them.

Mr. Chairman and gentlemen of the committee, S. 4425, which I introduced June 8 last, seeks to amend sections 11 and 12 of the immigration law of 1924. The amendment is in the form of a redraft of said sections. The object of this amendment is to repeal the so-called national-origin method of determining the annual immigration quota from each country to take effect July 1, 1927, as set forth in paragraph (b) of said section 11, so that thereafter the annual quota of immigrants from any country shall continue to be the same as at present, viz. 2 per cent of the number of foreign-born individuals of such nationality resident in continental United States as determined by the United States census of 1890. In redrawing said sections 11 and 12, I have endeavored to eliminate therefrom all that relates to the national-origin provisions, both in regard to the numerical limitations and also in regard to the administration of the immigration law, but to retain therein all that relates to the administration of the law under the quota as provided for in paragraph (a), section 11.

My reason for asking for the elimination of the national-origin method to determine the quota of each country is that I find that we have not sufficient official or other data upon which to determine the quota of each country upon this basis and that it would lead to discrimination between different nationalities, which is just what Congress diligently endeavored to avoid in passing the immigration act of 1924. I might say also that the reason I voted against the immigration law when it came back from the House and from the conference is because I began to have an inkling of where this would lead us. I have given considerable study to the matter since, and I have come to the conclusion, and I think every one of you who look into it will come to the conclusion, that there is no basis upon which this can be reckoned to determine what is the national origin of the various groups. Therefore, the yardstick by which we measure under this provision is not based on anything about which we have exact information.

The purpose of the national-origin plan is to divide all immigrants exactly in accordance with the national origin of our population so as to eliminate charges of discrimination. If this could be done, it might be an ideal plan.

Paragraphs (b) and (c) of said section 11 read as follows:

"(b) The annual quota of any nationality for the fiscal year beginning July 1, 1927, and for each fiscal year thereafter, shall be a number which bears the same ratio to 150,000 as the number of inhabitants in continental United States in 1920 having that national origin (ascertained as hereinafter provided in this section) bears to the number of inhabitants in continental United States in 1920, but the minimum quota of any nationality shall be 100.

"(c) For the purpose of subdivision (b) national origin shall be ascertained by determining as nearly as may be, in respect of each geographical area which under section 12 is to be treated as a separate country (except the geographical areas specified in subdivision (c) of section 4), the number of inhabitants in continental United States in 1920 whose origin by birth or ancestry is attributable to

such geographical area. Such determination shall not be made by tracing the ancestors or descendants of particular individuals, but shall be based upon statistics of immigration and emigration, together with rates of increase of population as shown by successive decennial United States censuses, and such other data as may be found to be reliable."

It will be seen from the above that the most important element in this determination is "statistics of immigration and emigration." The next important element is "rates of increase of population as shown by successive decennial United States censuses."

As reliable statistics of immigration and emigration are not in existence the whole plan fails and leaves the determination to mere guesswork or conjecture.

Senator REED. In the absence of statistics, you say?

Senator SHIPSTEAD. Yes; I say "reliable statistics" are not available. According to the best authorities, there are no reliable statistics of immigration for the first 213 years of this country's history. I believe you stated in the debate upon this proposition that there were none until 1820?

Senator REED. Yes.

Senator SHIPSTEAD. I am quoting from your statement on the floor of the Senate, April 3, 1924, page 5460, part 6, volume 65, of the CONGRESSIONAL RECORD: "There was no official governmental record of immigration commenced until the year 1820."

Dr. Edward McSweeney, former Assistant Commissioner of Immigration, has made a statement on that, and if you would care to have me do so I would like to read it. He said [reading]:

"In 1819 a law was passed making it necessary for the captains of all incoming ships, bringing passengers to the United States, to file a manifest of the passengers, but except to give the number of the passengers to the Government was never other than perfunctory and almost never used. These accumulated manifests were burned in the Ellis Island fire of 1896. The first real attempt to gather immigration statistics was after the Immigration Bureau was established in the early nineties."

So that brings us down to 1896, if that statement is correct.

Senator REED. Not necessarily, because the statistics were copied and compiled, or for many decades before that, and appear in the Government reports here in Washington.

Senator SHIPSTEAD. Considerable emphasis has been laid on the fact that a census was taken in the year 1790 and that this census can be used as a basis for determining the "national origin" of the inhabitants of the United States in that year, but this census is of no value for that purpose because only names and ages were given in this census and no information can be secured as to nationality or "national origin."

In 1906 Congress passed a law providing that the Director of the Census be authorized and directed to publish in permanent form, by counties and minor subdivisions, the names of the families returned at the first census of the United States in 1790.

Speaking of the difficulties in this work, William S. Rossiter, then chief clerk of the Census Bureau, stated in Outlook for December 29, 1906, page 1071, with reference to the correspondence between the Secretary of State and the marshals in the different districts who had charge of the census:

"The break in official records is one of the marks of the teeth of the British lion, these papers and many others having been destroyed during the occupation of Washington in the War of 1812."

Mr. Rossiter also states:

"Vagaries of size, shape, paper, ruling, chirography, and language could easily be forgiven, if, however, thereby we could restore the missing schedules for Delaware, Georgia, Kentucky, New Jersey, Tennessee, and Virginia, another reminder of the British, for they were also destroyed during the occupation of Washington."

Mr. Rossiter estimates that one-fourth of the enumeration is now lacking and that it would be very difficult to comply with the law of 1906.

Director of the Census North was not seemingly deterred by the fact that such a large part of the records was missing, and proceeded in 1909 to make a voluminous report which not only used the partial records but gave meticulous percentages of the racial divisions in the country based solely on names, the same as the late Senator Lodge has done in his "Distribution of Ability" in 1896. Well, certainly the recklessness of that would be apparent; for instance, here is a man by the name of Murphy; suppose he marries a girl of German descent. What would the children be? If you go by name, of course they would be called Irish; the German would be wiped out. If an Irish girl should marry a man with a German name, a Scotch name, or Scandinavian name, the Irish descent would be wiped out.

Senator REED. Would not these instances pretty well cancel one another?

Senator SHIPSTEAD. I think that may be. But, of course, in the absence of any statistics from such a large part of the United States down to recent date, I think while that may be true that one would cancel the other, I should rather think that the larger would absorb the smaller, and the smaller would finally be entirely wiped out. The proportion would not be kept, and, as I understand it, the function of this clause was to keep the origin in about the same proportion, if it could be determined.

This North report has been used in the tentative tables to show what each country would get under the "national-origin" clause in the immigration act of 1924.

Several eminent scholars have written extensive articles for the magazines showing the futility of trying to arrive at the "national origin" of the white inhabitants of the United States, among which are mentioned Dr. Edward F. McSweeney, former assistant immigration commissioner at New York, and Dr. Roy L. Garis, professor of economics in Vanderbilt University.

I quote from Doctor Garis's article in the Saturday Evening Post for October 10, 1925:

"The 'national-origin' plan means, therefore, that we must abandon practical methods and adopt something which we do not know anything or at best very little about." (P. 233, Saturday Evening Post, October 10, 1925.)

John B. Trevor, in his statement before the Senate Committee on Immigration, page 90, Senate hearings, 1924, stated:

"It has been suggested that the adoption of the 1890 census in lieu of that of 1910 will accomplish an equitable apportionment between the emigration originating in northwestern Europe and in southern and eastern Europe, respectively. This principle has been embodied in the House committee bill now before Congress. On the other hand, it is alleged that the selection of the census of 1890 as the basis for the computation of quotas, discriminates unjustly against immigration from what is called the newer sources of supply. Since the late arrivals are in all fairness not entitled to special privilege over those who have arrived at an earlier date and thereby contributed more to the advancement of the Nation, the obvious solution of the problem lies in the racial analysis of the population of the United States. The difficulties of such a proceeding are obviously very great, and the results, owing to the lack of complete data compiled in the earlier decennial enumerations made by our Government, can therefore only approximate the truth."

I want to say this for Mr. Trevor: He has been criticized and blamed for whatever there has been done in trying to figure this out. I can not find anywhere that Trevor spoke in favor of the "national origin." He was contending all the time that the quota of 1890 was the most fair and would cause the least discrimination against any nationality. That is the gist of his argument from beginning to end, as I read it in the hearings and wherever I find him quoted.

Senator REED. I think the explanation of that is that the "national-origin" clause had not been suggested at the time he testified.

Senator SHIPSTEAD. That may be.

Senator REED. The idea, whether a good one or bad one, I think, originated with myself. Trevor had never heard the suggestion.

Senator SHIPSTEAD. I think the idea is a good one if you can find a basis upon which to figure it out.

Senator REED. Of course, the theory of it was an effort to be entirely fair to everybody and try to be impartial.

Senator SHIPSTEAD. Yes; I think so.

Senator REED. I have no pride of authorship in it, and I am very concerned in seeing how it will work out. If it is impracticable, I think we ought to repeal it.

Senator SHIPSTEAD. After I talked to you the other day I thought you would be interested in getting it corrected.

Senator REED. Yes; I am.

Senator SHIPSTEAD. This goes into effect next year, unless something is done either to stop the presidential order or to repeal this act.

That is the only statement that I can find by Trevor on this proposition, but I think it is very significant. Now, he goes on to say:

"Nevertheless, such an approximation is of infinite value in demonstrating the falsity of the charges made by those whose interests and sympathies lie abroad rather than in the country of their adoption."

And I absolutely agree with him. I think he is right when he says that the quota of 1890 would be the most fair and cause the least discrimination to any group.

Senator REED. Senator, you agree with this, do you not, that if it is possible from a practicable standpoint to base the quotas on the whole population of the United States it ought to be done rather than to base them upon the foreign born in any particular year; in other words, there is no reason why we who were born here should not be reflected in the quota if it can be done?

Senator SHIPSTEAD. I think that is right, if it can be done; then, I think it is perfectly right.

I shall not take up the time of the committee in quoting from persons outside of Government service, but will call the attention of the committee to statements on this question made by persons who are charged with the administration of this law.

On May 8, 1924, Congressman SABATH, one of the House conferees, stated in reference to paragraph (b), section 11 (p. 8138, p. 8, vol. 63, CONGRESSIONAL RECORD):

"Both the Director of the Census, Mr. Stewart, and Doctor Hill, first assistant, who appeared before the managers, declared that they would be obliged to adopt arbitrary methods to arrive at the proper basis upon which allocation will be based."

Commissioner General of Immigration Hull, in his annual report for 1925 (p. 29), states:

"Thirteenth. Section 11 provides at the present time for an annual quota for each nationality of 2 per cent of the number of foreign-born individuals of such nationality resident in continental United States, as determined by the census of 1890, with a minimum quota of 100, and further provides that, beginning July 1, 1927, and for each fiscal year thereafter, the allotment shall be determined according to national origin. The bureau feels that the present method of ascertaining the quotas is far more satisfactory than the proposed determination by national origin; that it has the advantages of simplicity and certainty. It is of the opinion that the proposed change will lead to great confusion and result in complexities, and accordingly it is recommended that the pertinent portions of section 11, providing for this revision of the quotas as they now stand, be rescinded."

In the Saturday Evening Post for October 10, 1925, Doctor Garis quotes Director Stewart as making a statement on June 24, 1925 (p. 233):

"That there are no figures in existence which show completely the national origin of the population of the United States."

After thoroughly considering the question of whether or not the census of 1910 or the census of 1890 should be used as a quota basis, Congress came to the conclusion that the census of 1890 eliminated all discrimination in favor of either the new or the old immigration, as far as each type had contributed to our make-up of the different nationalities. It may be true that the old and the new immigration gets about the same percentage of the total under either method, but it is when we come to divide the quota between the several countries in each group that the discrimination comes in when we try to apply the "national-origin" method under what we have so far learned as to the distribution under the "national-origin" method and especially under the tables that were used before the Senate and House Committees on Immigration and before the conference committee.

The 1890 basis is a practical law and is based upon definite statistics, but, as I have heretofore stated, the "national-origin" plan means that we must abandon a practical method and adopt something about which we do not know anything, or at least very little.

The Senate and House during the first session of the Sixty-eighth Congress expended a great deal of time on different immigration bills, but there were several other important features in addition to the quota limitations that had to be considered and occupied a great deal of time. Of these I might mention the Japanese exclusion, alien seamen question, and nonquota immigrants. The necessity of passing a law during that session was very important, as the law then in effect would soon expire and we were threatened with being flooded with immigrants from many European countries. The House passed H. R. 7955, which provided for a quota of 2 per cent, according to the census of 1890. On April 2, 1924, the Senate took up for consideration Senate bill 3576, which provided for a quota of 2 per cent of the census of 1910. The bill as reported contained a large number of amendments proposed by the Senate committee, and a large number of amendments were offered on the floor of the Senate, among which was the amendment offered by the Senator from Pennsylvania [Mr. REED] known as the "national-origin amendment" now contained in paragraph (b), section 11. After the introduction of the "national origin amendment" the time of the Senate was occupied with several other amendments which came in thick and fast, and the parliamentary situation on the floor of the Senate was described by the late Senator from Illinois, Mr. McCormick, on page 6542, part 7, volume 65, as: "The parliamentary mosaic which has been laid out by those in charge of the bill."

The Senate agreed on the 2 per cent of the census of 1890; then took up for consideration the "national-origin" amendment. Outside of the statement of the Senator from Pennsylvania [Mr. REED] there was very little discussion on this amendment, and it was adopted without a record vote (p. 6472, pt. 7, vol. 65, CONGRESSIONAL RECORD). The revised text of this amendment is found on page 6471, part 7, volume 65, CONGRESSIONAL RECORD.

You remember, Senator REED, that when this came up in the Senate there were a great many amendments proposed, and I noticed in the

debates on this subject that you were practically the only one who said anything. I do not think anybody else was familiar with it.

Senator REED. Senator Lodge spoke in favor of it, I believe.

Senator SHIPSTEAD. Congress has been criticized a great deal for putting it in. I think that the Congress had very good intentions. After it had come back from the House and come back from the conference I was beginning to think that we were going to drift far into the sea on it, and that is the main reason I voted against the immigration bill.

What information did the Senate have as to the effect of this amendment before it was adopted?

Mr. John B. Trevor appeared at the hearings before the Senate committee (p. 89, Senate Hearings), and submitted a statement and a table that he had prepared entitled "Preliminary table, subject to revision." A copy of this table will be found in Exhibit A attached hereto. This table shows what each European country would receive as an immigrant quota on a basis of one-fifth of 1 per cent and one-fourth of 1 per cent based on "national origin," and what it will receive under H. R. 6540, or 2 per cent of the census of 1890, and under the law in force at that time. But this table does not show what each country would receive after the total immigration is limited to 150,000 and divided between each country according to the proposition stated in the Reed amendment.

Senator REED. There were lots of tables put in the record, though, based on Trevor's decision between nation and nation; I think you will find them—

Senator SHIPSTEAD. That is, figuring the immigration total at 150,000.

Senator REED. Yes.

Senator SHIPSTEAD. I found three tables.

Senator REED. Figuring on a basis of 300,000, and, I think, 150,000.

Senator SHIPSTEAD. Here is one on the basis of 300,000 that you put into the record—from a speech made by Mr. Curran of New York.

Senator REED. Yes.

Senator SHIPSTEAD. That is on the basis of 300,000. Here is another one. These are the Trevor figures, as I understand them.

The CHAIRMAN. Do you wish them inserted as a part of your remarks, Senator?

Senator SHIPSTEAD. Yes.

The CHAIRMAN. They will be inserted.

Senator SHIPSTEAD. And here is the only table I could find based upon annual immigration of 150,000.

The CHAIRMAN. Whose table is that?

Senator REED. That is the one I meant.

Senator SHIPSTEAD. That is the one you meant?

Senator REED. Yes.

Senator SHIPSTEAD. I find it on page 8138, part 8, volume 65, CONGRESSIONAL RECORD. This table was printed in the RECORD after the immigration bill had passed the Senate.

The CHAIRMAN. That will be inserted as part of your remarks, also, Senator.

If any person wanted to determine what quota any particular country would receive under the Reed amendment, he would have to assume that the Trevor tables would be used and then resort to the arithmetical method known as the "double rule of 3." For example: If he wanted to ascertain the quota of Sweden he would have to make out the equation,——: 150,000 :: 2,285,606 : 92,386,237.

Multiplying the means and dividing by the known extreme we get for the answer 3,712.

No table was before the Senate in which the quota each country would receive under the Reed amendment was computed.

There is a table on page 5476, part 6, volume 65, CONGRESSIONAL RECORD, showing what each country would receive under 2 per cent of 1890, 2 per cent of 1910, and under the "national-origin" method, but when you examine this table more closely you will find that this table as to the "national-origin" method is based upon a total annual immigration of 300,000, while the Reed amendment provides for only 150,000, and it is very unfair to compare what each country would get under 2 per cent of the 1890 census where the total immigration would amount to only 161,990 with the "national-origin" method based on 300,000. According to this table, Denmark would get 2,782 under the 2 per cent of 1890 method and 2,183 under the "national-origin" method, but when you reduce the annual immigration to 150,000 the quota for Denmark would be only one-half of what is shown in this table. Take Germany: Under the quota of 1890 basis she would get 50,129; under the "national-origin" method as shown on this table, 44,035; but under the Reed amendment only about 22,000. Take the quota of Norway: Under the 1890 basis, 6,453; under this table, 4,866; but under the Reed amendment only one-half, or 2,433. Thus Norway and Sweden would lose about two-thirds of the quota under the 2 per cent of the 1890 method.

These tables did not give anything with reference to the Irish Free State.

I think when you spoke in the Senate you had the total immigration quota of 300,000, because I see when you take that basis, then there is not much difference between the quota under this national-origin clause and the law of 1890; but when we take 150,000 there is a great deal of difference; and I think you overlooked that.

Senator REED. It cuts it in half. The amendment cutting the quota to 150,000 was made, as I recall it, by Senator HARRISON.

Senator SHIPSTEAD. Was that made after you introduced your amendment?

Senator REED. Yes. The "national-origin" amendment, as I introduced it, called for a Swedish quota of approximately 7,400 and a total immigration of 300,000. As I recall it, the amendment so introduced to my amendment by Senator HARRISON was carried by the Senate to make it a total of 150,000.

Senator SHIPSTEAD. I find here that Senator ROBINSON asked you this question, page 5468, part 6, volume 65, CONGRESSIONAL RECORD: "Has the Senator investigated to ascertain how that would work out in practical results as compared with the proposal to base the quota on the 1890 census or the proposal which he himself submitted?" And your reply was: "Yes, Mr. President; I have. There is almost no difference between the result of the 1890 method and the result of the proposal I have just been outlining."

On May 8, 1924, Congressman SARATH had printed in the RECORD (p. 8138) a table which he claims had been used before the conference committee by the Senator from Pennsylvania. This table tells an entirely different story from the table that was printed on page 5476.

Mr. Trevor has been criticized very seriously on account of the tables that he had prepared, but in justice to Mr. Trevor I will call the attention of the committee to his statement before the Senate committee, which is printed on page 89 of Senate hearings, 1924, from which I will quote the following:

"I am convinced, speaking broadly, that H. R. 6540 gives the elements who are most vociferous in their charges of discrimination more than they could hope for if it were possible for the Census Bureau to make an accurate apportionment of the racial strains in solution throughout our population to-day. Theoretically a quota based on such an analysis is ideal; but practically it would be a matter of great difficulty to construct a table of apportionment which would not be under fire year in and year out."

H. R. 6540, referred to by Mr. Trevor above, provides for a quota based on 2 per cent of the census of 1890.

In a speech at the Hotel Astor March 25, 1924, before the Economic Club, Hon. Henry H. Curran, commissioner of immigration at Ellis Island (see p. 5475, pt. 6, vol. 65, CONGRESSIONAL RECORD), stated:

"If we drop the 1910 measure and take up the 1890 measure, we come, with a few minor differences in the case of individual nations, to a measure that almost exactly gives each part of Europe that to which it is entitled. No more and no less. That is why I am for the 1890 measure. It helps us to become more homogeneous by sending to us every year a miniature or replica of that which we are already, according to original national stock. The 1890 measure is the soundest, the healthiest, the fairest, and the best. I hope you will write to your Senators and Congressmen and tell them so."

I respectfully call the attention of the committee to the constitutional features of the "national-origin" method. Congress has no doubt the power to adopt any arbitrary quota it may see fit and has the power to delegate to some commission or executive officers the power to determine the immigration quota of each country from facts and figures that may be established before such commission or officers, but when Congress attempts to confer upon a commission or executive officer of the Government the power to fix arbitrarily the quota for each country, has not Congress exceeded its powers in delegating to such board or officers a part of its legislative functions?

Senator REED. There is a bigger question even than the Senator suggests, and that is that Congress and every Member of Congress wants to be fair.

Senator SHIPSTEAD. Oh, sure.

Senator REED. And impartial in regard to these nationalities.

Senator SHIPSTEAD. Oh, yes; I do not think anybody questions that.

Senator REED. The figures calculated on the "national-origin" basis are now in course of completion, I am told, and will be available to us immediately after we reassemble in January, and I think that the committee expects then to take up energetically and thoroughly this question.

Senator SHIPSTEAD. Thank you.

The CHAIRMAN. The committee will now go into executive session.

(Thereupon, at 11.30 o'clock a. m., the committee proceeded to the consideration of executive business, and at the conclusion thereof adjourned to meet at the call of the chairman.)

"TREVOR TABLES."—A study of the population of the United States (preliminary draft subject to correction)

COUNTRY OF BIRTH	Apportionment as of 1790—		Apportionment of native born of native parentage contributed by arrivals since 1820		Foreign stock: Foreign born plus native born of foreign parentage plus mixed parentage		Total	Quota			
	Per cent	Of population of 1920	Per cent	Number of persons	Per cent	Number of persons		One-fifth of 1 per cent	One-fourth of 1 per cent	H. R. 6540	Present
A	B	C	D	E	F	G	H	I	J	K	L
Albania.....			0.0024	286	0.032	18,875	11,161	224	228	204	288
Armenia.....			.0105	1,250	.088	29,894	31,144	262	278	217	230
Austria.....			.6153	73,235	3.130	1,063,087	1,136,322	2,473	3,041	1,190	7,342
Belgium.....			.3162	37,635		122,686	160,321	520	601	709	1,563
Bulgaria.....					.059	20,045	20,045	240	250	200	302
Czechoslovakia.....			1.1643	138,579	1.988	675,215	813,794	1,827	2,234	2,073	14,357
Danzig.....			.1385	16,485	.041	13,931	30,416	261	276	423	301
Denmark.....			1.7292	205,816		467,525	673,341	1,547	1,883	2,982	5,619
Estonia.....			.0634	7,546	.379	128,731	136,277	473	541	302	1,348
Finland.....			.0901	10,724		296,276	307,000	814	968	345	3,921
France.....			.0062	738	.031	10,534	11,272	223	228	210	71
Germany.....	0.6	279,118	2.0414	242,975		1,181,987	1,704,080	3,608	4,460	4,078	5,729
Great Britain and Ireland.....	5.64	2,623,705	31.0343	3,693,813		7,259,992	13,577,510	27,355	34,143	50,329	67,607
Greece.....	91	42,332,836	39.3247	4,680,566		9,160,645	56,174,047	112,548	140,635	62,658	77,342
Hungary.....			.0175	2,083	.967	328,441	330,524	861	1,026	235	3,063
Iceland.....			.3032	36,088	2.180	740,427	776,515	1,753	2,141	888	5,747
Italy.....			.0223	2,654	.014	4,760	7,414	215	219	236	75
Latvia.....			2.4172	287,704		3,336,645	3,624,941	7,449	9,262	4,089	42,057
Lithuania.....			.0727	8,653	.434	147,411	156,064	512	590	317	1,540
Luxembourg.....			.1877	22,341	.741	251,682	274,023	748	885	502	2,629
Netherlands.....			.0360	4,285		43,109	47,394	295	319	258	92
Norway.....	2.5	1,162,990	1.0175	121,107		362,318	1,646,415	3,493	4,316	1,837	3,607
Poland.....			4.0109	477,392		1,023,225	1,500,617	3,201	3,952	6,653	12,232
Portugal.....			5.6120	656,058	6.256	2,124,811	2,780,899	5,762	7,152	9,072	30,977
Rumania.....			.2946	35,064		134,794	169,858	540	625	674	2,465
Russia.....			.3922	46,081	.565	191,995	238,586	677	796	831	7,419
Spain.....			1.1138	132,568	6.876	2,335,389	2,467,957	5,135	6,370	1,992	24,405
Sweden.....			.0770	9,165		77,947	87,112	374	418	324	912
Switzerland.....	.26	120,951	5.9428	707,333		1,457,382	2,285,066	4,771	5,914	9,761	20,042
Yugoslavia.....			1.2934	153,945		327,797	481,742	1,163	1,405	2,281	3,752
Other Europe.....			.4568	54,370	.932	316,554	370,924	942	1,127	935	6,426
Palestine.....			.0776	9,236	.033	11,213	20,440	241	251	201	57
Syria.....			.0006	71	.018	6,119	6,190	212	215	212	882
Turkey.....			.0074	881	.292	99,183	100,064	400	450	212	2,654
Other Asia.....			.0138	1,643	.203	68,954	70,597	341	376	223	92
Africa.....			.0279	3,321	.030	10,196	13,517	227	224	245	104
Egypt.....			.0234	2,785	.028	9,515	12,300	225	231	238	18
Atlantic Islands.....			.0037	440	.005	1,704	2,144	204	205	206	121
Australia.....			.0254	3,023	.244	82,873	85,901	372	415	241	279
New Zealand.....			.0745	8,897	.061	20,724	29,591	259	274	320	80
Total.....	100.00	46,519,600	100.0000	11,902,357		33,964,280	92,386,237	192,972	239,165	169,083	357,803

Quotas—2 per cent of 1910—Continued

Nationality	Present law	Johnson bill—2 per cent of 1890, with minimum of 100	Senate committee recommendation—2 per cent of 1910, with minimum of 100	National origins method—1920 census
Albania.....	288	100	192	36
Armenia.....	230	100	152	101
Austria.....	7,342	990	4,894	3,685
Belgium.....	1,563	509	1,042	519
Bulgaria.....	302	100	202	65
Czechoslovakia.....	14,357	1,873	9,572	2,639
Danzig.....	301	223	200	98
Denmark.....	5,619	2,782	3,746	2,183
Estonia.....	1,348	102	898	442
Finland.....	3,921	145	2,614	995
France.....	71	100	100	36
Germany.....	5,729	3,878	3,820	5,526
Great Britain and Ireland.....	67,607	50,129	45,072	44,035
Greece.....	77,342	62,458	51,562	182,221
Hungary.....	3,063	100	2,042	1,072
Iceland.....	5,747	488	3,832	2,518
Italy.....	75	100	100	24
Latvia.....	42,057	3,889	28,038	11,755
Lithuania.....	1,540	117	1,026	506
Luxembourg.....	2,622	302	1,752	888
Netherlands.....	97	100	100	153
Norway.....	3,602	1,637	2,404	5,339
Poland.....	12,205	6,453	8,134	4,866
Portugal.....	30,979	8,872	20,652	9,019
Rumania.....	2,465	474	1,644	550
Russia.....	7,419	631	4,946	773
Spain.....	24,405	1,792	16,270	8,004
Sweden.....	912	124	608	282
Switzerland.....	20,042	9,561	13,362	7,413
Yugoslavia.....	3,752	2,081	2,502	1,562
Other Europe.....	6,426	735	4,284	1,263
Palestine.....	86	125	100	66
Syria.....	57	100	100	20
Turkey.....	882	100	588	324
Other Asia.....	2,654	100	1,770	229
Africa.....	92	100	100	44
Australia.....	104	100	100	39

Quotas—2 per cent of 1910—Continued

Nationality	Present law	Johnson bill—2 per cent of 1890, with minimum of 100	Senate committee recommendation—2 per cent of 1910, with minimum of 100	National origins method—1920 census
Egypt.....	18	100	100	7
Atlantic Islands.....	121	100	100	267
Australia.....	279	129	196	96
New Zealand.....	80	100	100	40
Japan.....			1,443	360
Total.....	357,801	161,990	240,459	300,000

Printed as part of Curran's speech made in New York March 29, 1924, inserted in RECORD by Senator REED.

Quotas—2 per cent of 1890

[Table from page 8138, part 8, volume 65, CONGRESSIONAL RECORD]

Nationality or country	Present law	2 per cent of 1890 with minimum of 100	National origins under the 150,000 limit proviso
Albania.....	288	100	100
Armenia.....	230	100	100
Austria.....	7,342	990	1,840
Belgium.....	1,563	509	266
Bulgaria.....	302	100	100
Czechoslovakia.....	14,357	1,873	1,320
Danzig.....	301	223	100
Denmark.....	5,619	2,782	1,092
Estonia.....	1,348	102	221
Finland.....	3,921	145	498
France.....	71	100	100
Germany.....	5,729	3,878	2,763
Great Britain and Ireland.....	67,607	50,129	22,018

Quotas—2 per cent of 1890—Continued

Nationality or country	Present law	2 per cent of 1890 with minimum of 100	National origins under the 150,000 limit proviso
Great Britain and Ireland	77,342	62,458	91,111
Greece	3,063	100	536
Hungary	5,747	488	1,259
Iceland	75	100	100
Italy	42,057	3,889	5,878
Latvia	1,540	117	253
Lithuania	2,622	302	444
Luxemburg	97	100	100
Netherlands	3,602	1,637	2,669
Norway	12,205	6,453	2,433
Poland	30,979	8,872	4,509
Portugal	2,465	474	275
Rumania	7,419	631	386
Russia	24,405	1,792	4,002
Spain	912	124	141
Sweden	20,042	9,561	3,707
Switzerland	3,752	2,081	781
Yugoslavia	6,426	735	602
Other Europe	86	125	100
Palestine	57	100	100
Syria	882	100	162
Turkey	2,654	100	119
Other Asia	92	100	100
Africa	104	100	100
Egypt	18	100	100
Atlantic Islands	121	100	134
Australia	279	120	100
New Zealand	80	100	100
Total	357,801	161,990	150,903

Mr. COPELAND. Mr. President, I have no desire to continue the discussion, but I think Senators should be thinking about the national-origin proposition, because, as I see it, it is founded upon very insecure and unreliable estimates. I hold in my hand a discussion of the Irish in America, and I want to call attention to three or four Irish names. This matter relates to the State of Pennsylvania.

In the census of 1790 there was no Irishman by the name of Brennan included in the State of Pennsylvania, and yet there were 41 soldiers in the Revolutionary Army from Pennsylvania by that name.

The name of Cavanaugh did not appear in the census of 1790 in Pennsylvania, but there were 23 persons of that name in the Continental Army from Pennsylvania.

The name of Dwyer did not appear in the census of 1790 of the State of Pennsylvania, but there were 17 Revolutionary soldiers of that name from that State.

The name of Fitzgerald did not appear in that census, but there were 42 Revolutionary soldiers from Pennsylvania by that name.

I notice in this article a facetious statement:

In Pennsylvania it is shown that there were 125 McCarthys, male and female, so that if it be true that 110 McCarthys served in the Revolutionary Army or Navy from Pennsylvania, as the muster rolls plainly show, some of them must have been the ghosts of the McCarthys who died before the outbreak of the Revolutionary War.

Mr. SHIPSTEAD. Mr. President, in view of the fact that we have an amendment pending repealing the national-origin clause of the immigration act of 1924, I want to say that, without intention on the part of the Senator from Pennsylvania [Mr. REED], I am sure that his remarks may possibly by some people be construed as indicating that the amendment repealing the national-origin clause may be considered as an attack upon the underlying principle of the immigration act of 1924.

I wish to state that the repeal of the national-origins clause does nothing of the kind. The question involved in the repeal of that clause has nothing to do with the increase or decrease of the number of immigrants who may come here from other countries. The question involved in the restriction of immigration is not involved in the question of the repeal of the national-origins clause. The bill to repeal that clause has been introduced simply for the purpose of preventing the basing of the immigration law of 1924 upon a foundation that can not be defended and which is nothing more than guesswork. The information gathered under the supervision of the experts has been found to be inaccurate and impracticable as reported by the three members of the President's Cabinet who had that work in hand. So I want the RECORD to show that the effort to repeal the national-origins clause of the immigration act of 1924 is not in any way intended to alter the policy of the Government of the United States established at that time on the question of immigration. That is an entirely different mat-

ter and should not be confused with the question of whether or not the Congress of the United States shall repeal the national-origins clause of that act.

My bill to repeal the national-origins clause, instead of being an attack on our immigration policy, is rather a move to prevent that policy from becoming ridiculous, as it will be if the national-origins clause is made its foundation.

RELATIONS WITH MEXICO

Mr. HEFLIN obtained the floor.

Mr. HALE. Mr. President, will the Senator from Alabama yield to me for a minute?

Mr. HEFLIN. I yield to the Senator.

Mr. HALE. I am going to ask the Senate to stay here tonight until the naval appropriation bill shall have been disposed of. There are two or three individual amendments yet to be acted upon, but there are no further committee amendments. I think it will take a very short time to dispose of the bill if we can get back to its subject matter, but so long as Senators discuss outside subjects it delays the consideration of the bill by just that much.

Mr. HEFLIN. Mr. President, I will say to the Senator from Maine that I have some letters here supporting my position and that of other Senators and Members of the House of Representatives who oppose war with Mexico which I wish to print in the RECORD. If I may have them printed in the RECORD, I shall do so and not take up any of the Senate's time; but if I can not obtain permission to have these letters printed in the RECORD, I shall read them. I ask unanimous consent that the letters may be printed in the RECORD.

Mr. McNARY. Mr. President, may I not appeal to the Senator from Alabama to yield to me that I may present a proposed unanimous-consent agreement to vote upon the pending farm relief bill?

Mr. HEFLIN. Let my request first be put.

The VICE PRESIDENT. Is there objection to the request of the Senator from Alabama? The Chair hears none, and it is so ordered.

Mr. KING. Mr. President, I was about to make an observation. May I say to the Senator from Alabama that many other Senators have had letters, perhaps not so numerous as those received by the Senator from Alabama. I have refrained even upon most important questions asking to have such letters printed in the RECORD. I do not want to object to the Senator's request, however.

Mr. HEFLIN. The Senator from Utah knows I have been severely attacked for the position I have taken, while other Senators have not been, so far as I know. There was no objection, was there, Mr. President, to my request to have these letters printed in the RECORD?

The VICE PRESIDENT. There was no objection.

The following are the letters referred to:

TUSCUMBIA, ALA., January 23, 1927.

Hon. J. THOMAS HEFLIN,

Washington, D. C.

DEAR SENATOR: I am writing to commend your stand on the Mexican situation and to approve of your speech made in the Senate the other day, and to also send you a copy of a pamphlet received through the mails by me this morning which bears out your statements made on the floor of the Senate.

I have marked the pages which will show to the world and the country and to you the real purpose of the Knights of Columbus's million-dollar fund. I am also handing you herewith the envelope in which the circular was mailed showing that it was intended only for me, as it is marked "personal." What I can't understand is why the pamphlet was sent to me, but these folks have a peculiar way of reaching out for the unsuspecting and endeavor to convince them before they have time to study all the phases of the question.

With kind personal regards, I am

Yours sincerely,

WALTER F. MILLER.

AETNA LIFE INSURANCE CO., OF HARTFORD, CONN.,
Rochester, N. Y., January 24, 1927.

Hon. J. THOMAS HEFLIN,

Senate Office Building, Washington, D. C.

DEAR SIR: Every day I read the CONGRESSIONAL RECORD, and, of course, have read with great interest your wonderful speeches re the Mexican situation. I can not at this time think of any service that any man is rendering his country that can compare with yours. Your speeches are being discussed in the Protestant churches of this city, and are awakening the people to a realization of what is taking place. I am of the opinion that if war with Mexico is averted it will be due to your honest, courageous, and single-handed fight against it. More power to you. May God bless you. For your comfort I suggest that

you read St. Matthew, chapter 10, beginning at the sixteenth verse, especially the twenty-second verse. I intend speaking before a group of men at the Young Men's Christian Association Wednesday evening, and shall quote extensively from your speeches.

Again thanking you for your patriotic services, I am,
Sincerely yours,

LEROY VAN DUSER,
87 Croydon Road.

OKLAHOMA CITY, OKLA., January 21, 1927.

Senator J. THOMAS HEFLIN,

Senate Office Building, Washington, D. C.

DEAR SIR: I wish to thank you for your speech on the Mexican situation, showing up the work of the Knights of Columbus in their efforts to involve this country in war. As a native Alabamian, I am proud of you. Your speech rings true to the best traditions of our statesmanship, from Washington and Jefferson to Calhoun, Clay, and Webster. Stand your ground. The great body of the people are with you.

Very truly yours,

F. D. JONES.

WASHINGTON, D. C., January 15, 1927.

Senator HEFLIN,

Washington, D. C.

HONORABLE SIR: Congratulations. The most important message ever brought to the Senate Chamber was the one you delivered yesterday. You have dared to be a "Daniel" and the only one who dared. More congratulations. Long live Senator HEFLIN is the prayer of

MR. AND MRS. F. B. HARVEY.

AUSTIN, TEX., January 21, 1927.

Senator THOMAS HEFLIN,

Washington, D. C.

DEAR SENATOR: Hundreds of thousands of red-blooded Texans applaud and back your stand against our Government's interference in Mexico's internal affairs.

You struck the heart of the trouble in your recent speech, naming the Knights of Columbus (acting for the Catholic church) as the busybody fomenting strife between the United States and Mexico and Nicaragua. The tons of lying propaganda that have been broadcasted by these agents of the Roman Pope, both by pamphlet and radio, and the suppression of reliable facts about conditions in the two Republics by the Rome-controlled press are enough to cause serious reflection by lovers of truth and righteousness. It is alarming that our public men quail before Rome's organized power and yield to its demands for political preferment. With practically 90 per cent of the two Houses of Congress Masons and Protestants, it is incredible and inexcusable that our beloved country should be facing the greatest peril of her history right now, though it is difficult to get our people to believe it.

Rome is the implacable and uncompromising foe of civil and religious liberty, as every page of her bloody history attests. Her stranglehold upon matters at Washington has kept the educational bill pigeonholed for eight years, to the shame and disgrace of the people's representatives. The whole of Protestant America, representing about 80 per cent of the population, demands this righteous legislation, but without avail. May we not hope that you will use your influence to bring it out of its hiding place to the floor of the Senate for action?

Now that you have indicted the militant arm of the only real enemy of our Government and other governments, if that enemy be convicted and then executed, world without end, you may consider that you have faithfully served your day and generation by the will of God and receive the plaudit, "Well done, thou faithful servant, enter thou into the joy of thy Lord."

Very truly,

WM. P. RYLANDER,
(A native son of Alabama),
209 East Thirteenth Street, Austin, Tex.

JANUARY 29, 1927.

Hon. J. T. HEFLIN,

Washington, D. C.

MY DEAR SENATOR: It has been with intensive interest that I have followed your speeches at this session, particularly in regard to the Nicaraguan and Mexican questions.

Your references to three Presidents having been murdered by the same influence was exactly correct, and in view of the fact that your life has been threatened, it behooves you to be prepared at an instant's notice to defend yourself; however, I would be more sure where my food is prepared and who had a hand in preparing it.

Now, sir, you are a 100 per cent American, and I know something about what that means in this country. You have millions of real Americans behind you, and I hope you will continue to speak the truth when necessary. I am rather surprised, however, that you are alone in this matter. Where are the rest of the southern American Senators and those from the West, who have already proven themselves?

I am making this letter confidential, as I am giving my name and address, and hope you will destroy it. You know how we are situated up here.

With best regards and congratulating you and hoping you may find time to drop me a line, I am

Very truly yours,

WASHINGTON, D. C., January 27, 1927.

Hon. THOMAS HEFLIN,

United States Senate, Washington, D. C.

DEAR SENATOR: I feel that I would be an ungrateful American citizen if I did not express to you my deep and sincere appreciation for the way you so nobly and in such an able manner placed the Mexican situation before the American people.

I work in an office where the religious question is pretty evenly matched between the Protestants and Catholics, and just prior to your speech exposing the Catholic plot to get this country in war with Mexico, the Catholics were boasting daily about how "Uncle Sam" was going down and clean up Mexico.

Since the day you gave such a masterful speech in the Senate on this Catholic propaganda to get us in war with Mexico, I have heard very little talk about Uncle Sam going over to clean up Mexico and even the Catholic-controlled press have since that time been advocating arbitration instead of armed intervention. I am sure there is a large percentage of the Senators who are well informed on this Catholic plot to get this country to war with Mexico and I am sure there must be a goodly percentage who share your belief and secretly admire your courage, but for fear of criticism from the Catholic-controlled press they are too cowardly to openly take a stand with you, and this makes it all the more noteworthy and inspiring to see that you have practically fought and won a battle alone.

Pardon this lengthy letter. I wish to say in conclusion that I am from your adjoining State. My original home is Thomasville, Ga., and I know the folks back home must be proud of you, my State as well as Alabama.

Yours very respectfully,

POTLATCH, IDAHO, January 23, 1927.

Hon. J. THOMAS HEFLIN,

United States Senate, Washington, D. C.

MY DEAR SENATOR: I have just finished reading in the RECORD of the 15th instant your tilt with GILLET. Also I have read most of your other speeches on the subjects of Nicaragua and Mexico.

You are right, and I hope you will "stay with them." Beyond all question, it was the purpose of Coolidge and Kellogg to overawe and bully Mexico if they could; if not, then war. But your speeches and others—Borah's for one—together with the indignant reaction of the people in general, have caused them to "get down off their high horse." I believe the almost unanimous condemnation of their policy has caused them to abandon any such purpose for the present at least.

But those who wish to override the Central American States will be heard from again. They have been at it for many years and will come again in due time.

Hence, the need of some—the more the better—who will stand guard, like yourself.

You will get plenty of abuse from the supporters of the administration, and I therefore think it is no more than right that you should receive some commendation from the rest of us. That is why I write.

More power to you.

Yours truly,

L. N. BALCH.

FORT WORTH, TEX., January 19, 1927.

Senator HEFLIN,

Washington, D. C.

DEAR SIR: I read in the Morning Record your brave and patriotic stand against those who would, if they could, entangle us in the affairs of other countries. I am glad that the spirit and courage of Patrick Henry is not dead; that it still lives and is manifest in your own dear self, and I hope is in others.

Stay with them. Hit them again as time and need demands.

Sincerely and admiringly yours,

N. O. MURRAY.

CHICAGO, ILL., January 21, 1927.

Senator HEFLIN,

Washington, D. C.

HONORABLE SIR: This is just to express my appreciation of your speech in Congress in reference to the Mexico and Nicaragua situation. I am just an average American citizen. The average citizen is so prone to criticize and slow to show appreciation of work well executed.

Undoubtedly there are thousands who recognize the concern of your address, but you may never hear from them. You may never again hear from me, but I hope you will keep up the fight for America first.

Respectfully,

IVAR ANDERSON,
11350 South Fairfield Avenue.

142 SEYMOUR STREET,
Syracuse, N. Y., January 19, 1927.

Hon. J. THOMAS HEFLIN,
United States Senate Chamber, Washington, D. C.

DEAR SIR: "Bully for you." You told the truth and the truth sometimes hurts.

There are organizations and interests that flourish best in the dark, and that wince under the light of truth, and you have demonstrated the truth of the possibly inelegant but appropriate saying that "A stuck hog always squeals."

I am a Republican, but put country before party.

More power to you.

Respectfully,

FREDERICK HOOKER.

MUSKOGEE, OKLA., January 19, 1927.

United States Senator J. THOMAS HEFLIN,
Washington, D. C.

MY DEAR SENATOR: I am proud to know one man had the nerve to say what you had to say about the Mexican situation. You are right—the people are with you. Most men are political cowards.

Respectfully your friend,

E. L. HALSELL.

COLLINS, OHIO, January 20, 1927.

Senator J. T. HEFLIN,
Washington, D. C.

MY DEAR SENATOR HEFLIN: I want to thank you for your courage in calling the attention of the Senate and the people of the United States to the real cause of the trouble in Mexico, namely: "Religion and oil." Millions of people think exactly as you do.

Leave Mexico alone to solve her own religious affairs, for it is none of our business!

Let Americans who go to Mexico to exploit abide by Mexico's laws! God bless you for your stand!

Respectfully yours,

Rev. JOHN THOMPSON,
Pastor M. E. Church.

KANSAS CITY, MO., January 18, 1927.

Senator J. THOMAS HEFLIN,
Washington, D. C.

DEAR SIR: As an American citizen, vitally interested in the welfare of our country, I wish to congratulate and thank you for the courageous stand you have taken for the right.

Your attitude on the Mexican situation and the Roman propaganda as given in the daily press this morning will be greatly appreciated by thousands of men and women throughout the country.

I wish that we had a whole Senate like you.

Sincerely yours,

H. B. DIEHL.

LEXINGTON, MISS., January 19, 1927.

Senator THOMAS HEFLIN,
Washington, D. C.

DEAR SIR: Please permit me to express my sincere admiration for the splendidly courageous stand you have taken in the present controversy over the Mexican situation.

I am indeed glad that "the time has not come when a United States Senator can not raise his voice to keep his country out of war without being accused of intolerance."

In the opinion of a large percentage of people in this section you have taken a stand for the right.

Yours very sincerely,

R. M. STEPHENSON.

FRANKLIN, IND., January 26, 1927.

Hon. Senator HEFLIN,
Washington, D. C.

DEAR SIR: I have read with much interest extracts and comments in various papers, referring to your recent speech in Congress on the Mexican situation.

It would seem that every citizen, and especially everyone who happens to be looking after our interests in a representative way, should be interested in the welfare of our neighboring nation, and especially he must be when the two nations are discussing common interests. It would further seem that if anything should develop, likely to lead to

serious differences and even thoughts of military intervention, then the interest should grow and every real American, regardless of rank or responsibility, should manifest an interest.

All this seems to be allowable, and even expected, provided the cause of the trouble is not mentioned.

But when one dares to state what is or should be generally known as the real cause of this trouble, he is at once dubbed as an advocate of bigotry and intolerance, and held up as a proper object for rebuke and vilification.

Why should it be thought improper to refer to a thing so generally known? If the Knights of Columbus have done a wise thing and suggested a meritorious course of action, then by all means follow it up and support it; but if not, then disregard their suggestions and requests, but why not discuss the wisdom of their actions?

I am certainly glad to know that you have the moral courage to place the whole matter in the limelight where the world can see it.

Why should one hesitate, or why should he be expected to apologize for his action in contending for the principles of our fathers who made our Government what it is?

Respectfully, just a common American citizen,

JAMES V. DEER.

DOTHAN, ALA., January 24, 1927.

Hon. J. THOMAS HEFLIN,
Washington, D. C.

DEAR SENATOR HEFLIN: You need have no fear about the people being behind you in your recent skirmish in the Senate about the situation with Mexico and the relation of the Knights of Columbus thereto. I am glad that there is one Senator with courage enough to speak his convictions. The people do not want war even with a weaker nation, and they certainly do not want war over such a small pretext with Mexico, trying to regulate and govern its internal affairs, over oil-land matters or church disputes.

If you have your speeches in the Senate in pamphlet form, please send me one.

With regards to you, I am,

Yours truly,

H. K. MARTIN,
Judge of Probate, Houston County.

COLUMBUS, OHIO, January 24, 1927.

Hon. J. THOMAS HEFLIN,
Washington, D. C.

DEAR SENATOR HEFLIN: I have read carefully the daily CONGRESSIONAL RECORD and have been greatly interested in the splendid way you have presented the case against the Knights of Columbus.

Your points have been well taken and your arguments have been logically conclusive. There is no question about the correctness of your position; that Philadelphia resolution was and is nothing but a direct threat as well as a demand that our Government must intervene and stop the Calles Government from enforcing their law or else they proposed to do it with their 800,000 K. C. and the \$1,000,000 they ordered assessed of their membership to purchase arms and munitions.

There are thousands of good men and women in Ohio that join me in extending our appreciation of and admiration for a Senator who is not afraid to stand up and defend our Nation against the dictatorial and revolutionary tactics of the Roman Catholic hierarchy.

Again assuring you of our appreciation, I am,

Most cordially yours,

W. L. HICKEY,
1900 Sullivant Avenue, Columbus, Ohio.

SAN FERNANDO, CALIF., January 24, 1927.

Hon. Senator HEFLIN,
United States Senate, Washington, D. C.

DEAR HONORABLE SENATOR: The Old Book says, "Words fitly spoken are as apples of gold in pictures of silver." Such were your words concerning the dispute with Mexico and the Knights of Columbus. And the speed with which the administration came down from its arrogance and said it would arbitrate with Mexico—the only decent international method—shows you hit the vital spot.

Yours most respectfully,

L. D. RATLIFF.

PALMER, MASS., January 26, 1927.

Hon. J. THOMAS HEFLIN.

MY DEAR SIR: I am 76 years of age and do admire a man of your ability and courage, who has a backbone and a will to tell the truth and speak it where others are afraid to relieve their minds. Our President gained his high position by using a backbone at a time well known in our State and all the United States.

You are a Democrat and a man. I have been and am a Republican, so called; however, there is no Republican other than President Coolidge

I would vote for rather than J. THOMAS HEFLIN at this present time, as I consider that America would be safe with one like yourself at head of our United States.

Yours very truly,

DANIEL F. HOLDEN,
110 State Avenue.

LONG BEACH, CALIF., January 19, 1927.

Senator HEFLIN,

Washington, D. C.

MY DEAR SENATOR: I can not resist the "temptation" to write you and commend you on the stand taken on the floor in the Mexican controversy, especially the red-blooded American spirit shown on the Knights of Columbus affair.

We need more like you, and I am indeed sorry I am not a citizen of Alabama, whereby I could show my appreciation and vote for you when you are again a candidate.

I am a Missouri Democrat, having received two appointments as postmaster of my home town, Callao, under President Wilson. Never mind about the "war logs of the Potomac," "stick to the ship and let 'em rave."

Very respectfully,

GEORGE P. HICKS,
264 Temple Avenue.

WAGNER, S. DAK., January 20, 1927.

Hon. THOMAS HEFLIN,

Washington, D. C.

DEAR SIR: God bless you.

Faithfully yours,

C. F. DUNHAM.

THE BAPTIST BIBLE INSTITUTE,
New Orleans, La., January 19, 1927.

Senator HEFLIN,

United States Senate, Washington, D. C.

MY DEAR SENATOR: The morning papers bring to us the account of the discussions in the Senate concerning the Mexican situation and the remarks that you made with reference to the activities of the Roman Catholics in that direction.

I am sending you this word to thank you for the courage you have shown in this discussion, and I only hope you will "stand pat" and push this matter until the K. C.'s understand that they can not with impunity put on their propaganda to involve our Nation in a war with a friendly nation in order that the Roman Catholic Church may reap some benefit therefrom.

I lived in Mexico for 14 years—know the country, its history, its people, and I know that President Calles is right in trying to break the strangle hold the "holy mother church" has on that unhappy people. He needs our heartiest sympathy at this time, and if we will give it I believe he will bring about a condition down there that will preclude any more revolutions for years to come.

It is strange to me that the Knights can meddle in politics all they please and nothing is said about it, but when a Protestant dares open his mouth the whole bunch deplores the lugging of religion into politics.

God bless you and make you a great blessing at this time when we sadly need men of courage and conviction at the National Capital.

Pardon me for intruding on your time.

Very truly,

DENVER, COLO., January 19, 1927.

Hon. J. THOMAS HEFLIN,

Senator from Alabama, Washington, D. C.

DEAR SIR: I want to thank you with all my heart for the fight you are making.

I am a Republican, but I hope I may have the privilege of voting for you for President next election.

You are about the only Senator with nerve enough to oppose the Roman Catholic machine.

Yours truly,

GORDON A. SECHLER,
3756 Osceola Street, Denver, Colo.

CARTHERSVILLE, MO., January 20, 1927.

Hon. J. THOMAS HEFLIN,

Washington, D. C.

DEAR SIR: This is to congratulate you for your wonderful speech in the Senate the other day. I wish there were more of them up there that would have the grit to get up on the floor of the Senate and tell it to the world, as you have done. You hit the nail square on the head.

As an American citizen, a voter, a taxpayer, and a veteran of the late World War who saw 10 months' service in France, I wish to thank

you for your great courage, and I feel quite sure that these sentiments are the sentiments of thousands and thousands, yes millions, of other Americans that see this thing like I do, even though you may not receive a personal letter from each and every one of them.

With best regards and well wishes, I remain,

Respectfully and sincerely yours,

A. A. TILMAN.

WINCHESTER, VA., January 21, 1927.

The Hon. Senator HEFLIN,

Washington, D. C.

DEAR SIR: Your talk in the Senate on the Mexican situation was fine, and I want you to know that I indorse it, and that there are plenty of others. Keep on in the good work.

Sincerely,

FRANK M. ANDERSON,
315 Gray Avenue.

SOUTH DEERFIELD, MASS., January 22, 1927.

J. THOMAS HEFLIN,

United States Senate, Washington, D. C.

MY DEAR SENATOR: Inclosed you will find some clippings from the Boston Post and the Springfield Republican, of Massachusetts, relating to your speech in the Senate the 18th concerning the Knights of Columbus resolution. I thought you might possibly like to know how the newspapers of New England informed their readers of your stand on the principles and ideals of Americanism. Comparing the news items with the RECORD shows that all the news is not good news and some distortion was apparently necessary.

Personally I want to congratulate you on your stand as a fearless champion of the Americans in your State and of the Nation. If we might have a few more of your stamp, a real American might be proud of his birthright.

I sincerely hope you will continue to speak the truth where and when you find it.

May I remain,

Gratefully yours,

FREDERICK D. SULLIVAN, D. M. D.

AKRON, OHIO, January 22, 1927.

To Senator HEFLIN,

of Alabama:

You are certainly to be commended for your stand on questions of so great importance to the people of the United States.

The worth of a representative of the people at Washington should be measured by his standing by his conviction of what he believes is right.

I am sure what I am saying meets with the approval of a lot more of my associates, and that a man should be strongly supported who takes what he is convinced is right and the truth and stands by it regardless of what someone else may say about him.

Yours for success,

C. C. McCULLOUGH,
1153 Second Avenue.

WILMINGTON, N. C., January 22, 1927.

Hon. J. THOMAS HEFLIN.

MY DEAR SENATOR: I want to thank you for your fearless fight in the Senate on the Mexican question.

I am,

Yours truly,

H. W. HUNTER,
Member of George Washington Council No. 67 of the
Junior Order United American Mechanics.

KEWANEE, ILL., January 19, 1927.

Senator HEFLIN,

Washington, D. C.

DEAR SENATOR: You have done a great service to our country in your effort to bring before the people the real cause of the present difficulty between the United States Government and the Mexican Republic.

Senator REED of Missouri is quite correct in his statement that there will be no war between the two countries if a little more sunlight is allowed to shine upon the real issues involved and the American people come to the realization that it is a religious issue between the Roman Catholic Church and the Mexican people.

Your public reward will be criticism and you will never be placed in the Hall of Fame for your efforts, but you will live in the hearts and minds of real Americans and they will bless you for the service rendered.

Please accept the thanks and sincere wishes of,

Yours respectfully,

L. T. OUTTEN.

NEW YORK, January 22, 1927.

Senator J. THOMAS HEFLIN,
United States Senate, Washington, D. C.

DEAR SIR: In support of your contention that the Catholics have been attempting to embroil the United States with Mexico in order to help their church in its difficulties with the Mexican Government, may I point out a legal opinion written by William D. Guthrie, president of the Association of the Bar of the City of New York, which was published in the New York Times of Sunday, December 5, 1926. This opinion fairly bristles with warlike sentiments, and considering subsequent comments in the same newspaper, it appears that Guthrie was paid by some Catholic organization for his opinion. It is openly admitted that the opinion is to be used in attempting to stir the United States Senate into some sort of action, to say nothing of the deliberate spreading of propaganda hostile to the Mexican Government and inimical to our own Government.

There are plenty of stringent laws to prevent just such outbursts as Guthrie's, and plenty of laws to punish such offenders.

Yours very truly,

BECKLEY, W. VA., January 22, 1927.

Hon. J. THOMAS HEFLIN,
United States Senate, Washington, D. C.

DEAR SIR: I want to congratulate you on your debate on our Mexican policy. You are absolutely right, and the people owe you an everlasting debt of gratitude for saving this country from an unnecessary, uncalled for, and disgraceful war with Mexico. I would like to have the CONGRESSIONAL RECORD that has your speech in it as the newspapers here give JIM REED'S, BRUCE'S, and others' speeches in full and only a few sentences from yours.

Give them straight goods. The people generally are with you.

Yours respectfully,

MILTON CURTIS.

PORTLAND, OREG., January 24, 1927.

DEAR SENATOR: Congratulations on your stand on foreign policy. I am a Republican, but still loyal to the United States of America.

Yours truly,

H. B. NOLAND.

KANSAS CITY, MO., January 27, 1927.

Hon. J. THOMAS HEFLIN,
Washington, D. C.

DEAR SENATOR: After reading of the stand you have taken in the Senate I want to say that I heartily indorse all you say and am glad to know that we have a man in the Senate that is not afraid to speak his sentiments.

May you keep up the good work, and let them have no rest. May God bless you. I am,

Yours truly,

Z. C. BARNES,

126 North Lawn, Kansas City, Mo.

MOUNT PLEASANT, PA., January 28, 1927.

Hon. JAMES T. HEFLIN,
United States Senate.

DEAR SENATOR: Your exposure of the methods used by the Knights of Columbus in interfering in the troubles in Mexico meets my hearty concurrence, for not only are they the cause of the trouble they are having in that country just now, but these same Knights of Columbus are largely responsible for the trouble that we have had in the United States for the past few years. We are glad to know that we have one United States Senator who is not afraid to do his duty. Keep up the good work. More than seventy millions of loyal Americans are with you in this matter.

GEO. W. FULTZ.

BENNINGTON, VT., January 27, 1927.

Hon. J. THOMAS HEFLIN,
Washington, D. C.

MY DEAR SIR: Thank God we still have some fearless Americans in the Senate that are not afraid to tell the truth. So delicate an exposé as the doings of the Catholic Church in this country will bring condemnation from Pope lovers, but the loyal 100 per cent Americans are with you to a man.

Keep up the good work, and may the Lord bless and protect you.

Respectfully,

FRANK R. FLEMING.

NEW YORK, January 28, 1927.

Hon. Senator HEFLIN,
Washington, D. C.

MY DEAR SIR: I want to congratulate you on your noble stand for Americanism in the Mexican question, and trust you will stand firm and guard the interests of our great country. We need more men such as you to guard the interest of our American people.

Trusting you will keep up the fight and awaken some of the sleeping Americans in Washington whom the people elect to represent them, I beg to remain

Sincerely yours,

J. W. YATES.

WEBSTER GROVES, MO.,
St. Louis County, January 26, 1927.

Senator J. THOMAS HEFLIN,
Washington, D. C.

DEAR SENATOR HEFLIN: May I commend you for your recent speech relative to the Mexican situation and your fearless and outspoken attacks upon those who would aid capitalists and religious bigots to use our country and its prestige to further their interests in the unfortunate Mexico, which they keep in a turmoil. I urge that you keep up the good fight until good results come.

Respectfully,

WM. S. CURD.

CORINNA, ME., January 25, 1927.

Senator HEFLIN,
Washington, D. C.

HONORABLE SIR: I am voicing the sentiments of numerous citizens in this locality by heartily commending the attitude you have taken on the Mexican situation. We fully appreciate the amount of moral courage necessary in maintaining your stand. I would that we had more men of your type in the Senate.

Respectfully yours,

L. M. AVERY AND OTHERS.

LOS ANGELES, January 19, 1927.

Senator HEFLIN,
Washington, D. C.

DEAR SIR: Just a few lines to tell you how much I admire you for the fearless stand you have taken in regard to the Nicaraguan question. I thank God for men like you, who are not afraid to state openly that it is the Roman hierarchy and the Knights of Columbus who are responsible for the whole trouble. God grant that you may be the means of opening the eyes of thousands of our weak-kneed and "tolerant" Protestants before it is entirely too late.

I pray that many others in the Senate and House of Representatives may wake up and stand shoulder to shoulder with you in this fight.

Your truly,

Mrs. ADDIE BRETAKES,
4031 Hubbard Avenue.

SPEARFISH, S. DAK., January 25, 1927.

J. THOMAS HEFLIN,
United States Senate, Washington, D. C.:

We, the undersigned organization, take this opportunity to congratulate you on your fearless and patriotic stand taken in respect to the Mexican situation. Your speech on the floor of the Senate in behalf of the peace and welfare of America is an admirable expression of true American principles.

VOTERS' LEAGUE OF SPEARFISH.

RALEIGH, N. C., January 25, 1927.

Senator THOMAS HEFLIN,
Washington, D. C.:

Have heard nothing but praise of your attack on the Knights of Columbus effort to embroil us with Mexico. Catholics are undoubtedly doing everything possible to stir up trouble over the Mexican situation. Don't let them get away with it without being exposed. The people are with you.

G. E. BOBBITT.

ST. JOHN, KANS., January 19, 1927.

Hon. THOMAS HEFLIN,
United States Senate, Washington, D. C.

DEAR SIR: We want to congratulate you on the fearless stand you have taken in the United States Senate on the Mexican trouble.

We wish the United States Senate had more just such men.

Yours respectfully,

F. E. WELCH.

WAKEFIELD, MASS., January 20, 1927.

DEAR SENATOR HEFLIN: Your bold stand in the recent contest between you and Mr. REED and others on what they termed the "religious issue" meets my hearty concurrence. You represent the ideals of true Americans. Criticized? Yes. And your answer is complete, "Because of Catholic constituents and presidential ambition." I know them. My 47 years as a member of the Boston bar has proved to me the hand of Rome ever against the little red schoolhouse and always in politics.

Most sincerely,

GATE CITY BAPTIST CHURCH,
Birmingham, Ala., January 17, 1927.

Whereas the attention of the general public has been centered on the Mexican situation for the past several months and whereas we view with alarm the strained relations that are at present existing between the United States and Mexico, we do not believe that any good cause exists for this unfriendly relationship and believe that all good people should protest against this threatened war: Now therefore be it

Resolved by the Gate City Baptist Church in regular conference assembled, That we go on record as opposing the entrance of this Nation into a war with Mexico; be it further

Resolved, That we deeply appreciate the speech of our Congressman, GEORGE HUDDLESTON, which was recently made in Washington, and that we take this opportunity to thank him and pledge our cooperation and support, and urge him to continue to put forth every effort looking toward restoring harmony between our Government and the Mexican Government; be it further

Resolved, That we appreciate the attitude of our Senator TOM HEFLIN, and we thank you for his efforts in the United States Senate to bring order out of chaos and again restore the former friendly relations between our Government and the Mexican Government, and we urge that you continue to work to this end. Assuring you of our moral support; be it further

Resolved, That a copy of these resolutions be spread on the minutes of the Gate City Baptist Church and that a copy each be forwarded to Congressman GEORGE HUDDLESTON, Senator TOM HEFLIN, and that copy be furnished the press.

G. E. EUBANKS, Moderator.
W. T. GARRIGAN, Church Clerk.

HOPE, ARK., January 25, 1927.

HON. J. THOMAS HEFLIN,
Washington, D. C.

MY DEAR SENATOR HEFLIN: You are the only Senator that I recall who ever stood upon the floor of the United States Senate Chamber and dared denounce the pretended claim of the so-called primacy of the so-called Pope of Rome. You did not say so in these words, but you did say that Christ did not single out and establish the Catholic Church to the exclusion of all other churches. That is sound sense that is liberalism and toleration! Only those holding to the antiquated tenets of the Romanish Church can ever become seriously menacing or dangerously intolerant in the United States.

I had taken cognizance of the resolution adopted by the Knights of Columbus in convention at Philadelphia in August, 1926, and other Catholic propaganda for intervention by the United States Government in Mexican affairs, and did not see how it was possible for such rotten stuff to escape congressional airing.

Now that the attention of the thinking people of the Nation has been called to the subtle and insidious schemes of the Romish dignitaries and their satellites, the Knights of Columbus, to embroil this country in war with Mexico, we should not be overconfident but proceed more cautiously than ever in bringing about peaceful relationship and reconciliation between this country and the Republic of Mexico, for there are shrewd politicians in the Roman priesthood on both sides of the Rio Grande who are conniving, cunning as a fox, to restore the Catholic Church to its former glory in Mexico, viz, the Catholic system to the exclusion of all other forms of Christian worship.

The Romish claims of temporal power and apostolic succession are absolutely subversive of true Americanism, and intolerance and persecution are sure to follow in any country where Roman Catholicism predominates.

I commend your course in the Senate, and hope that you may remain vigorous and strong in body and mind for many years to come.

Yours respectfully,

F. N. PORTER.

BLOCTON FIRST BAPTIST CHURCH,
Blocton, Ala.

On account of apparent unfriendly relations now existing between our Government and the Government of Mexico, wherein war is being threatened;

We, the members of Blocton First Baptist Church, do humbly petition our Honorable President Calvin Coolidge, and the Honorable Members of our United States Congress and Senate to use every honorable means of friendship to bring about a friendly condition between our beloved United States Government and the Government of Mexico: Therefore be it

Resolved—

1. That we heartily commend the members of the United States Senate and Congress, who have earnestly opposed United States intervention in the present Mexican troubles;

2. That we are opposed to all wars, unless it be for the protection of our own lives and liberties in our own country;

3. That we favor a friendly arbitration of all differences arising between our own Government and our neighbor Governments;

4. That a copy of these resolutions be sent to our Honorable President, and also to the following members of Congress and the Senate: GEORGE HUDDLESTON, J. THOMAS HEFLIN, OSCAR W. UNDERWOOD, W. S. OLIVER, and P. B. BOWLIN.

A copy placed upon our church record, and a copy sent to the press for publication.

Done by order of the church in regular assembly.

This January the 23d, 1927.

C. B. MARTIN, Pastor,
C. M. BISHOP, Church Clerk.

STROMSBURG, NEBR., January 19, 1927.

To the Hon. SENATOR HEFLIN, of Alabama.

DEAR SIR: Have just finished reading the account of your speech in the Senate of Monday, and congratulate you on your fearless stand. Not a question of a doubt but that you are absolutely correct on your stand, and I assure you that thousands of people of the Middle West are supporting you in this matter.

Yours very truly,

W. FRED JOHNSON.

HON. THOMAS HEFLIN,
Washington, D. C.

DEAR SIR: May I ask you to accept my congratulations for the position you have taken in regard to the activities of the Roman Catholic Church in this country. Reports of your statements upon the floor of the Senate have been read with interest and satisfaction.

Here, in Massachusetts, we live in the hotbed of Catholicism, and are constantly reminded of the true intent of that organization and the ever-growing need of fighting against it if we do not want to follow in the path that other countries have followed to their sorrow.

Very truly yours,

WEST END, BIRMINGHAM, ALA., January 26, 1927.

Senator J. T. HEFLIN,
Washington, D. C.

DEAR SENATOR HEFLIN: I have noticed with very much interest what has been said by the various Senators and Congressmen up there here of late on the Mexican situation, and I, with a great many others here in West End, were glad to read what the papers said of the speech you made on this subject. I have heard quite a little comment on it. I have thought for a long time that you were on the right side, but now I am sure you are, and I am glad that we have got men up there that have got the courage and I might say the backbone to speak their convictions. I firmly believe that you have a higher place in the minds of the people by having spoken as you did.

With best regards, I am

Respectfully,

F. E. HEARN.

KANSAS CITY, KANS., January 26, 1927.

Senator HEFLIN,
Washington, D. C.

DEAR SIR: You will no doubt receive many letters from some of the Catholic faith, scoring you on the speech you made on the floor. This you well know will be from orders of the priesthood. I want you to know the 100 per cent Americans and the thinking class are for you. Your State can well be proud of you. No doubt there are many in the Senate who have wishbones, but you have a backbone.

Stand by your convictions. We are for you even though we are on the other side of the fence politically.

Yours truly,

CURTIS F. SMITH,
Thirteenth and Stewart Avenue.

EL DORADO, KANS., January 26, 1927.

HON. J. THOMAS HEFLIN,
Washington, D. C.

DEAR SIR: I receive the CONGRESSIONAL RECORD daily and read every word relative to the Mexico-Nicaragua situation.

I am especially interested in the fight you are putting up on the Senate floor, and I want to congratulate and encourage you. Don't let the Knights of Columbus bring a war upon us if it is in your power to prevent it. Let not your courage weaken; there are thousands of folk over our great Nation watching you, and praying that God will give you strength to endure.

Just your type of a man is what we need for President of our United States—I hope to see you there.

Respectfully,

J. D. MUSICK, M. D.

BROOKLYN, N. Y., January 27, 1927.

Hon. J. THOMAS HEFLIN,
Congress Hall, Washington, D. C.

DEAR SIR: Keep up the fight. "Don't give up the ship." Perhaps you shall succeed and avert war.

We can only avert war by electing men to the highest offices of the land, who are there to represent the people as a whole, and not those who work hard at tearing coupons from bonds. When such men will fill every seat in Congress and the White House (especially), then there will not be any wars.

Yours for eternal peace on earth,

HARRY LOPATIN,
375 Stone Avenue.

WADLEY, ALA., January 28, 1927.

Hon. TOM HEFLIN,
United States Senate, Washington, D. C.

DEAR SENATOR: The Methodist Church at Pleasant Hill voted to thank you for your stand in regard to the Mexican trouble and ask that you do all you can to keep us out of war with Mexico, and tell you we are with you.

Thanking you for your stand and trusting that you may be able to keep our country out of war,

Respectfully,

J. P. WEST,
Pastor Methodist Episcopal Church, South, Wadley Circuit.

2121 SANSON STREET,
Philadelphia, Tuesday, January 25, 1927.

Hon. J. THOMAS HEFLIN,
Congress Hall, Washington, D. C.

DEAR SIR: I take great pleasure in commending you for the courageous stand you took, also the wonderful speech you made in the United States Senate Chamber, and I can truthfully say I wish we here in Pennsylvania had a J. THOMAS HEFLIN down in Washington. I only heard parts of your speech read last night at a little gathering of faithful Protestants.

Very truly yours,

T. HARRY JILLARD,
Notary Public.

CINCINNATI, OHIO, January 18, 1927.

Hon. Senator THOMAS HEFLIN,
Washington, D. C.

DEAR SIR: You are to be congratulated on your stand in the Mexican crisis. I am inclosing several clippings, taken from the local press, which show that the Knights of Columbus contradict themselves.

I sincerely hope that our Senators will some day wake up. * * *

Sincerely,

ELMER E. DIMMERMAN.

BIRMINGHAM, ALA., January 13, 1927.

Hon. J. THOMAS HEFLIN,
Washington, D. C.

DEAR SENATOR: I congratulate you upon the stand you have taken against a possible war with Mexico. I appreciate the speech that you made relative to this matter, and I think you voiced the sentiment of the majority of people in this State.

Respectfully yours,

G. C. BONER.

DINUBA, CALIF., January 26, 1927.

TOM HEFLIN,
Alabama Senator, Washington, D. C.:

We, a group of men numbering some 500, use this means of expressing our appreciation of your stand on the Mexican situation; also the million-dollar fund raised other than for education; also for your grit to fight for the American against foreign entanglement.

H. C. WILKINSON,
For Committee.

NORTH MCKINNEY BAPTIST CHURCH,
McKinney, Tex., January 20, 1927.

Senator HEFLIN,
Washington, D. C.

DEAR SIR: I have been reading some of your statements concerning the situation in Mexico. I thoroughly indorse all you have said. I feel that you have taken the courageous stand, and that the majority of the right-thinking people in America are behind you. I have just read "The Mexican People and the Church," by Arturo M. Elias. I think it is one of the finest things I have read on the Mexican situation. I feel that it ought to have a wide circulation.

If at any time I can be of any service to you in spreading the truth about the situation in Mexico, just let me know. I am pastor of a

church of over 600 members in a town of over 12,000 people and am praying that God will give you the courage to keep up the fight in spite of all the threats of the Knights of Columbus.

Cordially yours,

C. Y. DOSSEY.

FARM RELIEF

Mr. McNARY. Mr. President—

Mr. DILL. Mr. President, of course, the Senator from Oregon [Mr. McNARY] will not expect his request to be submitted without a quorum of the Senate being present?

Mr. McNARY. No. I ask the Senator from Maine [Mr. HALE] to yield to me in order that I may present a request for unanimous consent for consideration after the roll shall have been called.

Mr. HALE. Does the Senator from Oregon mean that he is going to seek, after the roll call, to displace the naval bill?

Mr. McNARY. Oh, no; I wish merely to propose a unanimous-consent agreement, which, if accepted, of course will, in a measure, make definite the course of procedure within the next few days.

Mr. HALE. But if it shall not be accepted, will the Senator then withdraw his request?

Mr. McNARY. If any Senator objects to the unanimous-consent agreement, that will end it.

Mr. HALE. Then the Senator will allow us to go back to the consideration of the naval appropriation bill?

Mr. McNARY. Certainly; I would not interfere in the slightest way with the splendid efforts of the Senator in the consideration of the naval bill.

Mr. HALE. Very well.

Mr. DILL. Why not proceed to the consideration of the naval bill and finish it?

Mr. McNARY. I desire first, before yielding the floor, to propose my request for a unanimous-consent agreement, and I ask that it may now be read by the clerk.

The VICE PRESIDENT. The clerk will read as requested. The Chief Clerk read as follows:

Ordered, by unanimous consent, that on the calendar day of Saturday, February 5, 1927, at not later than 4 o'clock p. m., the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill (S. 4808) to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities, through the regular parliamentary stages to its final disposition; that on the calendar day of Tuesday, February 8, 1927, at not later than 4 o'clock p. m., the Senate will proceed to vote, without further debate, upon the motion made by the Senator from Pennsylvania [Mr. PEPPER] that the Senate recede from certain Senate amendments and concur in the House amendments to certain other Senate amendments to the bill (H. R. 2), the so-called McFadden-Pepper banking bill, and upon any motion or amendment that it may be in order to propose to the House amendments to the said Senate amendments; and that after the hour of 12 o'clock noon on each of the said days no Senator shall speak more than once nor longer than 15 minutes upon the pending measures or any amendment offered thereto or any motion in relation thereto.

Mr. WHEELER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Bayard	George	McKellar	Sackett
Bingham	Gerry	McLean	Schall
Bratton	Glass	McMaster	Sheppard
Broussard	Goff	McNary	Shipstead
Bruce	Gooding	Mayfield	Shortridge
Cameron	Hale	Means	Smith
Capper	Harris	Metcalf	Steck
Caraway	Harrison	Moses	Stewart
Copeland	Hefflin	Norbeck	Trammell
Couzens	Howell	Nye	Tyson
Curtis	Johnson	Oddie	Walsh, Mont.
Deneen	Jones, Wash.	Overman	Warren
Dill	Kendrick	Pepper	Wheeler
Edge	Keyes	Phipps	Willis
Edwards	King	Reed, Mo.	
Ferris	La Follette	Reed, Pa.	
Frazier	Lenroot	Robinson, Ind.	

The VICE PRESIDENT. Sixty-five Senators having answered to their names, a quorum is present. The clerk will read the request for unanimous consent presented by the Senator from Oregon [Mr. McNARY].

The Chief Clerk read as follows:

Ordered, by unanimous consent, that on the calendar day of Saturday, February 5, 1927, at not later than 4 o'clock p. m., the Senate will proceed to vote, without further debate, upon any amendment that may be

pending, any amendment that may be offered, and upon the bill (S. 4808) to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities through the regular parliamentary stages to its final disposition; that on the calendar day of Tuesday, February 8, 1927, at not later than 4 o'clock p. m., the Senate will proceed to vote, without further debate, upon the motion made by the Senator from Pennsylvania [Mr. PEPPER] that the Senate recede from certain Senate amendments and concur in the House amendments to certain other Senate amendments to the bill H. R. 2, the so-called McFadden-Pepper banking bill, and upon any motion or amendment that it may be in order to propose to the House amendments to the said Senate amendments, and that after the hour of 12 o'clock noon on each of the said days no Senator shall speak more than once nor longer than 15 minutes upon the pending measures or any amendment offered thereto or any motion in relation thereto.

The VICE PRESIDENT. Is there objection?

Mr. HOWELL. Mr. President, I suggest that the date in connection with the banking bill be changed to February 10, instead of February 8.

Mr. PEPPER. Mr. President, if the Senator will yield to me, speaking for those who are earnestly desirous of pressing the banking bill to a vote, our objective is the fixing of a reasonable time with reference to the other business of the Senate, and if the date is definite and the time reasonably remote so as to give opportunity for dealing with the appropriation bills and the farm-relief measure in the interval, we shall make no insistence upon any particular day. In other words, if the date suggested by the Senator from Nebraska better suits the judgment of the Senate as a time when the banking bill should be disposed of, we would not be disposed to insist on an earlier date.

Mr. HOWELL. I suggest, then, that the unanimous-consent agreement be modified by changing the date "February 8" to "February 10."

The VICE PRESIDENT. Without objection, the request for unanimous consent will be modified according to the suggestion of the Senator from Nebraska.

Mr. HARRISON. Mr. President, on this side we can not hear what the Senator from Nebraska says.

Mr. HOWELL. I suggest that the date for voting upon the bill be changed from the 8th until the 10th of February. It simply advances the date two days.

Mr. SHIPSTEAD. Mr. President, before that modification is made, I should like to ask if there is any objection to postponing the date for voting on the farm-relief bill from Saturday until Monday?

Mr. McNARY. Mr. President, I assume that that inquiry is addressed to me.

I think the purpose sought to be accomplished is well carried out if the date is made definite. I understand from the Senator from Minnesota that he intends to be out of the city on that date. Personally, I should like to have him here at the time, on account of the very valuable assistance he can render; and, as far as I am concerned, in proposing a unanimous-consent agreement, I should be willing to have the date deferred until Monday rather than Saturday.

Mr. LA FOLLETTE. Mr. President, I suggest that the unanimous-consent agreement should make some provision as to when these measures are to be taken up for consideration. Otherwise, we may be placed in the position, through the pressure from appropriation bills, of having these bills under consideration only on the days mentioned, when debate would be limited to 15 minutes on amendments.

I suggest to the Senator from Oregon, who proposed this agreement, that there should be some provision with regard to the time when the farm bill is to be taken up; and I suggest to the Senator from Pennsylvania that there should be some consideration given as to the time when the banking bill will be taken up.

Mr. MOSES. Mr. President, may I ask if the dates have been changed with reference to both bills?

The VICE PRESIDENT. The question has not been put to the Senate as yet.

Mr. MOSES. No; but the Senator from Oregon, who proposed the unanimous-consent agreement—

The VICE PRESIDENT. Does the Senator from Oregon modify his proposed agreement?

Mr. McNARY. Yes, Mr. President; in the two particulars that have been mentioned, namely, for the vote on the farm bill on Monday, and for the vote on the banking bill on the 10th, which is Thursday.

The VICE PRESIDENT. The Senator modifies his proposed agreement in that way?

Mr. McNARY. Yes; I suggest those modifications.

Mr. MOSES. I suggest to the Senator from Wisconsin that the events of this afternoon have shown that it is not necessary to have a bill before the Senate in order to discuss it.

Mr. LA FOLLETTE. I realize that fact; but, nevertheless, both of these measures are very important, in my judgment; and it seems to me that a time should be fixed when each of them is to be taken up for discussion; in other words, that there should be some provision for general debate upon both bills.

Mr. JOHNSON. Mr. President, I agree with what is said by the Senator from Wisconsin. There ought to be for another reason, too. While these are both very important measures, and none of us would like to impede them in any degree, there are other measures of very grave importance before the Senate which should have some opportunity of presentation here and some opportunity of being heard.

I have sat here, sir, with a measure upon the steering committee's list, anxious to bring it before the Senate at such time as should be convenient for the Senate and in accordance with its rules; and I agree with the Senator from Wisconsin that a specific time for the farm bill to be before the Senate should be fixed, and a specific time for the McFadden bill to be before the Senate should be fixed. In the remaining period, then, between now and the dates that are fixed for the final votes, if there be any of that period which shall not be devoted to those two bills, we may take up other important legislation and not be met with parliamentary objections and with technical obstacles. So I trust that we may fix the particular times for each.

Mr. KING. Mr. President, this morning, when the Senator from Pennsylvania had the floor and coupled these two bills together, and suggested that a unanimous-consent agreement be entered into for their consideration, I replied that he should not yoke them together. That has been done in the proposition now before us.

I am willing to displace any bill now and proceed to the consideration of the banking bill, even though the appropriation bills have the right of way. The short session is primarily for the purpose of taking care of the appropriations for the next fiscal year. I am unwilling now to fix the time for voting on any bill of importance, unless it be the banking bill, so long as we have eight appropriation bills undisposed of.

It is obvious that if the McNary bill is taken up it is bound to interfere with appropriation bills. That bill is a very important one. I do not think that at this time, in advance of the bill being before us with full opportunity to know its provisions, we ought to be called upon to assent to the fixing of a time when it may be voted upon.

Reluctantly, therefore, I feel constrained to object.

Mr. McNARY. Mr. President, may I not appeal to the justice and good sense of the able Senator from Utah that he might suggest some modification that would still retain the substance of the proposal which I have made?

Mr. KING. Mr. President, I shall be glad to confer with the Senator later. We have the naval appropriation bill before us. I would have no objection to taking up the bill for consideration after other important bills that have been on the calendar for months have been disposed of and after the appropriation bills have been passed.

Mr. McNARY. The Senator will recall that there is only one appropriation bill pending before the Senate that has reached the calendar, and from the outlook it appears that we will dispose of that measure to-day.

Mr. KING. I suggest to the Senator that he renew his motion to-morrow, and in the meantime I shall be very happy to confer with him.

Mr. McNARY. Very well. I would not discommode the Senator; but let me add one word only.

The time may appear short on account of the prominence of the agricultural bill; but the last agricultural bill was made the unfinished business in the first session of the present Congress on June 1, and was argued and was voted upon on the 29th day of June. Thirty-seven formal speeches were made by 37 Senators, and many aspects and provisions of the bill were discussed by others. That was seven months ago; and I feel sure that the able Senator from Utah has not forgotten those arguments, and does not want to hear them renewed. Consequently, it occurred to me that four days would be ample to refresh the memory of the Senator from Utah and others regarding the arguments that were heretofore made. Therefore I think that we might well consider the bill and fully consider the bill in four days; and if the Senator from Utah would be sufficiently considerate of those of us who desire that these measures be voted upon—all we are asking is an opportunity—I think he might enter into this agreement and make certain the time to vote upon these measures, so that after they are disposed of there will be nothing to prevent alacrity

in the passage of the appropriation bills, the Boulder Canyon bill, the railroad bill, the truth-in-fabrics bill, and many other worthy bills that are now upon the calendar.

I only suggest that to the Senator from Utah in the sense that I know that he is anxious to dispose of the important business on the calendar, and by following me in this matter he can do so.

Mr. KING. Mr. President, any appeal made by the able Senator from Oregon of course has very great weight with me; but I feel at this time upon a measure so important, one that inaugurates, as I understand its terms, a policy so utterly at variance with all of the economic and political views that have prevailed in this country, it would be unwise now to determine that only a few days shall be allotted to its discussion.

May I say to the Senator that I do not know that I shall participate in the debate. I did not when a similar one was before the Senate. I regarded it as uneconomic and unconstitutional, and voted against it. The present bill may be less objectionable, but there ought to be ample opportunity given to Senators to discuss it.

Mr. REED of Missouri. Mr. President, I do not think I can support this bill in its present form, but I hope it can be given such a form that I can support it. One thing, however, I am heartily in favor of, and that is giving an opportunity for a vote upon the bill after a reasonable discussion.

The farmers, many of them, believe that they can obtain relief by this character of legislation. The question has been discussed a long time; and, saving the variations which may be made in this bill from the terms of former bills, the subject is pretty well understood.

This session is drawing to a close. I think before it comes to a close, and in time to have proper action by the other House of Congress, this measure ought to be considered and voted upon.

I say this regardless of any views that I may be compelled to express with reference to the terms of the bill when it comes before the Senate.

Mr. McNARY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McNARY. What is the present status of the proposal I made?

The VICE PRESIDENT. It was objected to by the Senator from Utah [Mr. KING] and the Senator from Mississippi [Mr. HARRISON].

NAVAL APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15641) making appropriation for the Navy Department and the naval service for the fiscal year ending June 30, 1928; and for other purposes.

Mr. HALE. Mr. President, I have an amendment that I would like to offer to the bill.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. On page 51, strike out all after the word "expended" in line 17, down to and including the figures "\$5,600,000" in line 22, in the following words:

Provided, That the limitation imposed in the Navy Department and naval service appropriation act, fiscal year 1925, on construction and machinery expenditures on account of one fleet submarine (mine-laying type) is increased to \$5,600,000.

Mr. MOSES. What is the effect of that?

Mr. HALE. The submarine V-4 had originally a limit of cost of \$5,300,000. That limit of cost was increased by the bill as it passed the House to \$5,600,000. It has been found recently that that is not sufficient to complete the submarine, and there is a measure now pending before the House Naval Affairs Committee increasing the limit of cost to \$6,300,000. At the suggestion of Mr. FRENCH, of the Committee on Appropriations in the House, we are asking that this be stricken out now, as it is in conflict with the measure to which I have referred.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DILL. I have an amendment to be inserted on page 23, regarding the naval radio air station.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. On page 23, line 1, after the numerals "\$19,050,000," insert the following proviso:

Provided, That no part of said appropriation shall be used to operate any naval radio station for the purpose of broadcasting any address on any public question or for broadcasting other than official and commercial business, but this provision shall not prevent broadcasting official weather reports and time signals.

The amendment was agreed to.

The VICE PRESIDENT. Another amendment is made necessary by that change, which the clerk will state.

The CHIEF CLERK. On page 23, after the word "Provided," following the amendment just inserted, insert the word "further."

The amendment was agreed to.

Mr. DILL. Mr. President, there is another amendment to be inserted on page 51, which I offered last Friday.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. On page 51, after the word "expended," in line 17, insert a proviso, as follows:

Provided, That no part of the moneys appropriated or made available by this act shall be expended for the construction or manufacture of the hulls, main engines, or armament of two of three scout cruisers for the building of which bids have been asked, but which have not yet been contracted for, and for the construction of which funds are herein appropriated, except for the construction or manufacture of such vessels, their main engines, and armament in Government navy yards; *And provided further*, That one of said cruisers shall be built in a navy yard on the Pacific coast.

Mr. HALE. Mr. President, I make a point of order on the ground that it is general legislation on an appropriation bill.

Mr. DILL. I want to be heard on that, Mr. President, when the Senator finishes his objection.

Mr. HALE. The law authorizing the construction of these cruisers provided as follows:

Vessels to be constructed or reconditioned by this act shall be constructed or reconditioned in the Government navy yards of the United States, when time and facilities permit, and when, in the judgment of the Secretary of the Navy, such construction or reconditioning would not involve an appreciable increase to the cost to the Government.

That is the existing law, and that clearly changes the existing law.

Mr. DILL. Mr. President, the provision that some of these cruisers shall not be constructed in private yards is not a new provision in naval appropriation bills. There have been numerous similar provisions inserted in such bills in the past. This amendment provides that two of these three cruisers shall be built in navy yards and one of them in a Pacific coast yard.

I want to call attention to the fact that there are many precedents for such legislation as this on naval appropriation bills. I have made some little investigation of the matter, and I find that it is not unusual to have such provision included.

For instance, in the naval appropriation bill of 1908 I find that it is provided that at least one battleship provided for should be built and constructed under the direction of the Secretary of the Navy at one of the navy yards; that another such battleship might also be constructed at one of the navy yards, in the discretion of the Secretary of the Navy, or by contract as thereafter provided.

In the act of 1911 I find that the law provides that the limit of cost of the collier "authorized and directed by the naval appropriation act approved May 13, 1908, to be built in such navy yard on the Pacific coast as the Secretary of the Navy may direct," at a million-dollar limit, and so forth. These provisions have been in the bills in the past, and I see no justification for the Senator's position, that because we place this limitation on the way the money shall be expended, it is out of order.

I find in the act of 1915 a provision regarding submarine torpedo boats:

The Secretary of the Navy shall build any of the vessels herein authorized in such navy yards as he may designate, should it reasonably appear, etc.

That is the provision to which the Senator refers.

The Secretary of the Navy is authorized to build any of the vessels herein authorized in such navy yards as he may designate.

These provisions have been put in regularly in appropriation bills. In 1916 the law provided:

The Secretary of the Navy is authorized to equip the navy yards at Norfolk, Philadelphia, Boston, and Puget Sound for the construction of capital ships.

So that when the Senator says I am proposing an amendment which is in violation of the law I remind him that it has been customary in naval bills to make similar provision with reference to the expenditure of the money.

Mr. HALE. I think if the Senator will investigate he will find there is this distinction. In the cases to which he has referred there was no specific limitation put in the authorization.

Mr. DILL. The only way I can get this provision in is by limitation.

Mr. HALE. In this particular case there is a specific limitation put in the bill authorizing the construction of the cruisers.

Mr. DILL. Yes; and this amendment limits where they may be built.

Mr. HALE. I have never known another case where that clause was included in the authorization, but it is included as to these particular cruisers.

Mr. LENROOT. The Senator does not think that a direction to have a ship built in a particular place is a limitation does he?

Mr. DILL. I recognize that part of my amendment may be subject to the point of order, but the other part I do not think is.

The VICE PRESIDENT. The Chair holds that the point of order is well taken.

Mr. DILL. Mr. President, I desire to offer another amendment which I think is in order.

The CHIEF CLERK. On page 51, line 17, after the word "expended", insert the following proviso:

Provided, That no part of the moneys appropriated or made available by this act shall be expended for the construction or manufacture of the hulls, main engines, or armament of two-thirds of the scout cruisers, for the construction of which funds are herein appropriated but which have not yet been contracted for, in any private shipyard or private industrial establishment; and no part of the moneys so appropriated shall be used for the manufacture of the hulls, main engines, or armament of one-half of the aforesaid two-thirds of said scout cruisers in any Government navy yard on the Atlantic coast.

Mr. DILL. I have worded this in such way that it is purely a limitation. It is awkwardly worded, I confess, but I have simply tried to limit the expenditure of the money in such manner that two-thirds of the cruisers can not be built in private yards and that one-half of the two-thirds can not be built on the Atlantic coast, which is another way, of course, of saying that they may be built on the Pacific coast because the navy yards are all on the Atlantic coast and Pacific coast.

My purpose in the amendment is, if possible, to require the Navy Department to give to the navy yards, which have been built with Government money, the contracts to build these cruisers. I have a suspicion that a great deal of the agitation which has gone on for these extra cruisers is to be found in the desire for these contracts on the part of private shipbuilders.

I call attention to the fact the Government has invested millions and millions of dollars in these navy yards. The building docks are lying idle. Communities have been built up by the people working in the navy yards. Schools have been constructed. The property of those communities has been bonded by the people who live there. The towns surrounding the navy yards are towns in which those people live. When these shipbuilding contracts are allotted, as they are, to the private shipbuilding interests and the navy yard docks permitted to remain idle, then we have a situation which results in the Navy workers being discharged. They are thrown out of work and must necessarily find work elsewhere, and the communities which were built up largely as the result of the Government having expended this money for the navy yards must be dispersed. This is neither fair nor just.

I want to say further that it is in the interest of the plan for national defense that the navy yards should be given sufficient work in the way of construction of ships that they may have a force of men who are trained to do the work. I know that the Secretary of the Navy in the hearings stressed the fact that private shipbuilding companies were going out of existence because they were not having contracts awarded to them. Those who know the facts know that it is the purpose of the Navy Department, despite the limitation provisions which have been put in the bill, to award these contracts to private shipbuilders, and the Government yards will be allowed to remain idle.

I do not offer this amendment and speak merely because I happen to come from a State which has one of the best navy yards in the United States and one of the best equipped navy yards for building ships, but I speak in the interest of the national defense for keeping sufficient work going on in the navy yards so that if an emergency does come we shall have men in the yards who are experienced in shipbuilding and not be compelled to bring together an entirely new force.

I believe the amendment is in the interest of the defense of the country and is fair and just to the people who have established their homes and made these communities around the navy yards. It seems to me there is no reason why in this situation such an amendment should not be adopted, and the

Government navy yards, some on the Atlantic coast and some on the Pacific coast, given the contracts.

Mr. HALE. Mr. President, I think with the Senator that some of these ships should be built in the navy yards and some in private yards. The navy yards will have a chance to bid on them. The law, however, provides that they shall be constructed or reconditioned in the Government navy yards when time and facilities permit and when in the opinion of the Secretary of the Navy such construction and reconditioning will not involve an appreciable increase in cost to the Government. I think they must be constructed under that provision.

Mr. DILL. They can be, but the Secretary of the Navy under that provision has the power and exercises the power to give the contracts almost entirely to the private yards. I notice that the Government yards are remaining idle a great deal. I have had some investigation made as to the number of ships that have been built in private yards since the war and the number that have been built in Government yards. I want to give just a few statistics on the subject.

I find that all 10 of the light cruisers were built in private yards. I find that some 68 destroyers were built in private yards while 9 destroyers were built in Government yards. On the other page of the list which I hold in my hand I find 19 more, among a total of 87, built in private yards, as against 8 others built in navy yards. It is no answer to talk about the Secretary of the Navy doing these things if he desires. The fact is that he is allowing the buildings and docks at Government yards to remain idle, and the demand for these new cruisers is largely a demand which originates from the private shipbuilding interests.

Mr. HALE. Two cruisers have already been started, one of which is being built in a Government yard and one in a private yard.

Mr. DILL. Yes; but the one which is being built in a Government yard is having its engine built in a private yard. The Cramp people, of New York, are building engines, which is the large part of the construction, so that in reality we have about one-half of one cruiser in a Government yard and the other one and one-half in a private yard.

Mr. HALE. I think the disposition of the department is to divide these things up as much as possible, to keep the private yards going and to keep the Government yards going as well. I think the Senator need not fear about that. I want to say that while the amendment is in the form of a limitation it clearly changes the law just as the other one did, and I make the point of order against it.

Mr. BRATTON. Mr. President, I understand the Senator from Washington to concede that the act authorizing the appropriation vests discretion in the Secretary of the Navy to determine whether it is advisable to construct these vessels in a navy yard and that his amendment is designed to take that discretion away from the Secretary of the Navy. That very statement emphasizes the point of order raised by the Senator from Maine that it does change existing law because it takes away a discretion vested in the Secretary of the Navy under the act of authorization.

The VICE PRESIDENT. The point of order is sustained.

Mr. DILL. I can not understand the reasoning by which it is said that an appropriation bill can not provide by law something that is different from existing law. I have read the naval acts which take away discretion of the Secretary. They have not allowed him to decide whether he will give the contract to Government navy yards or not.

Mr. HALE. They do not change any existing law. That language has been put in the appropriation bills each year for the current appropriation.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. DILL. Certainly.

Mr. LENROOT. Of course, an appropriation bill may have a provision that does change existing law, but if the point of order were made against such a provision when offered it would have to be sustained.

Mr. DILL. I think the point of order might have been made against certain other amendments which were offered, but it was felt that in the interest of the Navy and the appropriation bill they ought to be permitted to go in. It seems to me that the Senator at least might permit this amendment to go to a vote.

Mr. HALE. I think the Senator may be assured that he will receive fair treatment.

Mr. DILL. No; the Senator has no such assurance. In fact, the assurance of the Senator is that the Government navy yards are not going to get fair treatment, and that is why I have offered the amendment, in order to be sure that they will get fair treatment.

Mr. HALE. But the cruisers are not yet appropriated for, and the Secretary could not have given any such assurance as the Senator states.

Mr. DILL. No; and they are not to be contracted for until after Congress adjourns on the 4th of March. The Navy Department has fixed the opening of bids for the 10th of March, when they know Congress will no longer be in session.

Mr. KING. Mr. President, I hope the Senator will not raise a point of order against the amendment offered by the Senator from Washington.

Mr. GLASS. As I understand it, the point of order has already been made and ruled on by the Chair.

The VICE PRESIDENT. The Chair held the point of order well taken.

Mr. KING. I suppose the Senator from Virginia wanted to preclude me from making an observation.

Mr. GLASS. Oh, no; that was not my intention at all.

Mr. KING. Mr. President, upon a number of occasions when naval appropriation bills were under consideration I have discussed the question involved in the motion of the Senator from Washington [Mr. DILL]. The evidence before the Naval Affairs Committee upon various occasions, when I was a member of that committee, was quite convincing that as a general rule naval craft could be built at less cost in private shipyards, where there was legitimate competition. However, it seemed to me that the competitive system was not always adhered to, and that private contractors often dictated their own terms. The costs of many of our battleships, cruisers, submarines, and other war vessels have been enormous, and I have thought that in too many instances the Government was robbed.

The Senator from Washington asks that consideration be given to Government shipyards, and his position, if I understand it, is that the cost of building the cruisers authorized by this bill will be no greater in Government shipyards than in private yards. He also makes the point that the Government is required to have naval bases and navy yards, and that if no work is given to these yards the organizations therein found will disintegrate and the plants fall into disrepair.

I believe, Mr. President, that if the Government-owned plants can build our warcraft at substantially the same cost that the Government would be required to meet if private contractors constructed the same, a portion of the contracts for ship construction should be given to the Government yards.

Senators are familiar with the Mare Island Navy Yard in California, upon which the Government has expended more than \$50,000,000 in its constructing and development. It is equipped with modern machinery and the latest mechanical appliances. Ships of large tonnage have been constructed there, and the records as to time and cost were of the very highest standard. The climatic conditions are favorable for employment during the entire year. There is no labor shortage, and those employed in the plant are industrious, highly skilled, and deeply interested in the work in which they are engaged. Most of the men employed in the plant are married and have homes and home ties. I have visited Vallejo, the city adjoining the Mare Island Navy Yard, and met hundreds of the fine people residing there. They are a fine type of American citizenship, and it would be unfortunate and certainly not to the best interest of our country if this navy yard were abandoned or suffered to deteriorate and fall into decay and the population of the beautiful city of Vallejo compelled to seek employment in other parts of our country.

At this yard the cruisers provided for in this bill can be built, and I believe can be built sooner than if they are built in the private navy yards which have the contracts for the five cruisers now in course of construction. I make this statement because the record showing construction with respect to the three cruisers, upon which considerable work has been done, is not very satisfactory, and indicates that it will be a long time before the five cruisers are completed.

Mr. President, I have before me the testimony of Admiral Beuret, of the Construction Corps of the United States Navy, in which he deals with the *Lexington* and *Saratoga*, the converted cruisers now being prepared to serve as airplane carriers. The original cost of these ships was \$16,500,000 each. Later representations were made that the cost would be much greater, and the limit was raised to \$19,000,000 each. And on July 11, 1919, a definite limit of \$23,000,000 was fixed as the cost of each vessel. Subsequently the cost limit for each vessel was raised to \$34,000,000, and we are asked now to have the limit increased to \$40,000,000 for each carrier.

These two vessels were contracted to be built in private yards under a cost-plus system. The admiral in his testimony states:

The original contracts were on a cost plus 10 per cent basis, but that was changed in the latter part of 1920 to a cost plus a fixed fee of

\$2,000,000 each. When the conversion to airplane carriers was authorized we would like to have had the price set at a certain figure, but the builders were unwilling to do so.

Mr. President, it is evident that the Government was at the mercy of these builders and that the pernicious system of cost plus, against which our Republican friends inveighed so bitterly in the Wilson administration, exists under the present administration. Perhaps if the Navy Department had refused to yield to the demands of the contractors the Government would have fared better.

Mr. HALE. Those were war contracts which were made, and all war contracts practically were cost-plus contracts, cost plus 10 per cent. That was changed, as the Senator has read, to a cost plus a \$2,000,000 fee. Had that change not been made, for a \$40,000,000 ship the 10 per cent cost plus would have been \$4,000,000.

Mr. KING. That is true; but the original contract fixed the cost at \$16,500,000 for each of these vessels. The cost now is to be \$80,000,000 for the two. The style of the vessels has been changed and new contracts, or substantially new contracts, have been written, under which the vessels are now being constructed.

Mr. HALE. It was very necessary to change the style of the ships.

Mr. KING. I am not complaining because of the change in the cruisers; it was necessary that we have aircraft carriers, and it was a proper arrangement to convert these cruisers into aircraft carriers. My complaint is that the Government's interests were not protected when the contracts were made for the conversion or change of these ships into carriers. The Navy officials should have insisted upon proper terms and, if necessary, should have re-let the contracts for the completion of the vessels, so that there would have been competition and the Government protected as to cost and time of completion.

Mr. HALE. They could not get it.

Mr. KING. I can not think that the Government, if the officials of the Navy Department had been sufficiently insistent, would have failed in securing proper contracts, and contracts calling for speedy completion of the cruisers.

Mr. President, I have sometimes felt that the Navy Department has been too much concerned in behalf of privately owned shipyards and has been in too close contact with the Steel Trust, or big steel interests, of the United States. Senators will remember that quite a number of years ago Congress was greatly stirred over the conduct of certain armor-plate contractors who were supplying the Government with armor-plate for our battleships. The facts were disclosed that armor-plate was being sold to Russia by the same contractors for several hundred dollars a ton less than the prices charged the United States. The revelations brought to light roused the public, and a demand was made that the United States should no longer be at the mercy of the corporations that manufacture armor plate, but should build its own plant and manufacture armor plate for American war vessels.

Again referring to the testimony of Admiral Beuret, the record shows that members of the committee and the admiral discussed the question of the overhead of private shipyards which had contracts with the Government, and the admiral stated that the private yards had—

Some difficulty in maintaining their forces, and it is also difficult to get the men to exert themselves, because the harder they work the shorter their jobs. * * * That is human nature. We have been discussing this matter with them. We have accused them of not giving the vessels enough attention, and we still think the vessels ought to progress faster, but we have not been able to arrive at a solution.

Mr. WOODRUFF. Is it not a fact that under conditions existing in these yards the contracts for the *Lexington* and the *Saratoga* carry all the overhead of the two yards?

Admiral BEURET. The greater part in the shipyard proper. They have a little minor work going on in these yards, but it does not amount to much. The Navy Department exercises a control of charges through the compensation board.

Mr. WOODRUFF. The condition I have outlined very materially increases the cost of construction?

Admiral BEURET. Yes; that is right.

Mr. President, undoubtedly the conditions referred to by the admiral account in part, at least, for the enormous costs of the two cruisers *Lexington* and *Saratoga*. It seems incredible that the experts in the Navy Department and those having to do with the letting of the contracts should make such blunders in fixing the prices for these vessels. They furnished various estimates and seemed to have been utterly unable to tell within millions of dollars what the cost of each of these vessels would be. It would seem that the Government has been too much

concerned in giving contracts to private contractors and has been too indifferent to the course of these contractors in charging all their overhead expenses in the operation of their plants to the cost-plus contracts which had been entered into between them and the United States.

Mr. President, the enormous appropriations which are being made for the Navy Department ought to challenge the attention of Congress and the country. This bill carries more than \$324,000,000 as a direct charge, and commits the Government to further expenditures, the aggregate of which will be tens of millions of dollars. We are admonished by the chairman of the committee [Mr. HALE] that within a short time large appropriations must be made for the replacement of battleships and other naval craft, and these requirements, totaling tens of millions of dollars annually, for an indefinite period will be in addition to the hundreds of millions of dollars required for the maintenance of the Navy. It is apparent that unless some international agreement is speedily reached which will bring about a limitation—a genuine limitation—in armament and naval expenditures, the United States will soon have to meet an annual budget of more than \$500,000,000 for the Navy alone.

Mr. President, an appropriation so stupendous, which will be supplemented by an annual appropriation of between three and five hundred million dollars a year for the Army, should awaken the American people to a realization of the crushing burden which they now have to meet and which will grow heavier as the years go by, and arouse in their hearts a determination to adopt every honorable means to bring about the adoption of a plan that will free this Nation and other nations from the evils of militarism which are certain impediments to international peace.

Mr. President, privately owned shipyards, steel interests, and contractors are for this bill and for all measures which call for large appropriations to build warcraft. The cities and States in which steel and armor plate and shipyards are found give earnest support to naval bills which call for hundreds of millions of dollars for additional naval craft. It is useless to attempt to amend this bill. Naval bills are much like rivers and harbors bills. They find a united front in this body and all opposition is in vain.

The appeal of the President to postpone the letting of contracts for three cruisers while he is attempting, in connection with other nations, to bring about a limitation in naval craft remains unheeded. The Senator from Washington, if his amendments were submitted to the Senate, would be defeated. This bill, with its many unwise provisions, with its lack of consideration for the taxpayer, with its perpetuation of existing bureaucratic methods, costly and destructive of efficiency, will soon pass the Senate. If I thought it would be of any avail, I should move to recommit the bill with instructions to report back a measure reducing the appropriation at least \$75,000,000. This reduction could be made without affecting the efficiency of the Navy if only business principles, technical efficiency and the application of economical methods were applied to all of the activities of the Navy Department.

Mr. HALE. The navy yards have a perfect right to compete under the law as it is now, and will have every opportunity, I am sure, to do so. I must insist on my point of order.

The VICE PRESIDENT. The point of order has been sustained.

Mr. EDWARDS. Mr. President, may I ask that my amendment be read?

The VICE PRESIDENT. The amendment proposed by the Senator from New Jersey will be stated.

The CHIEF CLERK. On page 45, line 8, before the period, it is proposed to insert a semicolon and the words:

New boathouse and training quarters for the crews, \$250,000, on the condition that the Navy Athletic Association furnishes satisfactory assurances to the Secretary of the Navy that it will reimburse the Government in one-half of this sum, such reimbursement to be made in three equal annual installments.

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. HALE. Mr. President, the Senator from New Jersey has already spoken to me about the amendment. I realize the need for a boathouse, and I am willing to let the amendment go to conference and see what can be done with it there.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole and open to amendment.

Mr. KING. I offer an amendment.

The VICE PRESIDENT. The amendment will be stated.

Mr. KING. I have not the page before me, but the amendment is in connection with the appropriation dealing with the marines.

Mr. HALE. The amendment should come in on page 46, after line 13.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 46, after line 13, it is proposed to insert the following:

Provided, That no part of this sum and no part of any amount carried in this bill shall be used to keep or maintain any marines in the Republic of Haiti after December 31, 1927.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Utah.

Mr. HALE. Mr. President, I should like to hear an explanation of the amendment. We are under treaty obligations with Haiti by which we are obliged to keep marines there until 1936.

Mr. KING. Mr. President, the amendment which I have just offered is of the highest importance because it involves a principle vital to this Republic. The American people have constantly avowed that they were not imperialistic and were unwilling to impose our form of government upon other peoples. We have in Haiti a large force of marines, and the Haitian people are ruled by the United States. Our war vessels are at this moment in Haitian ports and our marines, with the accoutrements of war, are upon Haitian soil. General Russell, a military officer of the United States, is in supreme power in Haiti, and the bayonets and rifles of the marines execute his will.

The Haitian people are in a condition of political servitude. Their Government has been taken from them, their constitution has been destroyed, they have no national assembly, no local self-government, no control over their own fiscal affairs, and no controlling voice in their domestic concerns. Ninety-nine per cent of the Haitian people bitterly resent the course of this Republic and the subjugation of their country by the armed forces of this powerful Nation.

My resolution calls for the withdrawal of American marines from Haitian soil. It contemplates that we shall restore to the Haitian people the government of their own country and the control of their own destiny. I intended to have discussed at some length the history of the conquest by the United States of Haiti and the conditions in Haiti under American rule, but the hour is late, many Senators have left the Chamber, and we are all desirous of adjourning.

I know that any appeal which I may make for the adoption of this amendment will be in vain. The Republican Party is committed to an imperialistic policy in Haiti, and it intends to keep the military forces of the United States in that unhappy country for many years to come. I shall at an early date, however, seek an opportunity to address the Senate upon conditions in Haiti, and I shall appeal for the adoption of the resolution which I offered at the last session of Congress directing the Committee on Foreign Relations to investigate the conduct of our Government in seizing and holding Haiti and the conditions there existing.

I take the floor for a few moments only because of the statement just made by the Senator from Maine [Mr. HALE] to the effect that the United States is in Haiti because of treaty obligations requiring it to maintain military forces in that country until the year 1936.

Mr. President, I respectfully insist that the Senator is entirely in error. The United States in 1915, without any justification, landed military forces upon Haitian soil. It sent war vessels into Haitian ports. It carried on war against the Haitian people, and more than 2,500 of the inhabitants of that invaded country were killed by American guns fired by our marines. We took possession of their country. Our military forces occupied every strategic point, and the subjugation of the country was completed. From that time until the present Haiti has been under the military rule of the United States. Haiti is in the position of a conquered country and the Haitian people regard themselves as the victims of an oppressive foreign invader.

The Senator speaks of a treaty. After our military forces were in possession of Haiti and the Haitian Government had been overthrown we set up a puppet government. We abrogated their constitution and forced upon them one which was framed in the Navy Department of the United States. We required the officials, whom we placed in position, to sign a treaty which attacked the sovereignty of Haiti and subjected the Haitian people to American rule. That treaty was to expire at the end of 10 years, which would be 1925.

Mr. HALE. Mr. President, was there not a provision in the treaty as to its renewal, and did not both parties renew it at the expiration of 10 years?

Mr. KING. There was no renewal. First let it be remembered that by every standard of morality and justice there was no treaty. Our forces were in possession of the country. We had destroyed the legislative branch of the government and taken possession of all governmental agencies of the country. We set up a shadow government. It was not a Haitian Government. A few Haitians were put into position, but they were named by naval officers of the United States and they did the will of those who named them. One of them we called a President, and he was required to sign a treaty prepared by the United States. The Haitian people were threatened by the Secretary of the Navy of the United States that if the treaty was not signed we would proceed to what was called the "pacification" of the island, which meant, as everybody knew, a war with all of the horrors attending war, prosecuted by this mighty Nation against a weak and feeble people.

Under these circumstances this shadow President signed the treaty. Shortly thereafter a demand was made by the United States that the treaty which, as I have said, expired by limitation at the end of 10 years, should be extended for a further period of 10 years. This demand was acceded to by the puppet officials named by the United States, but this so-called treaty, which purported to extend the life of the former treaty for 10 years, or until 1935, was never reported to the Senate of the United States and was never ratified by it.

I do not know why this oppressive act of our Government was not brought to the attention of the Senate. Perhaps it was feared that the Senate would not approve the so-called treaty signed in 1915. If it is claimed that our marines are occupying Haiti under that treaty, then with its expiration the right of occupation ceased. I insist, however, that we were trespassers there in the beginning; but even if the trespass was legalized by the so-called treaty which I have denounced as having been forced upon the Haitians, it is no longer a living instrument. It has no binding force, and our marines have no right upon Haitian soil.

Mr. President, we were much concerned a few days ago when it was learned that a limited number of marines were landed in Nicaragua, and there was much agitation in the United States for fear that troops might be sent to Mexico. We seem to have forgotten that several thousand marines under arms and under the protection of the guns of our fleet landed upon Haitian soil in 1915 and from that day until the present have been in control of that country. There was no reason for invading Haiti or attacking a friendly people. No American rights were threatened, no American citizens were in danger of any harm, none had been killed, and no property belonging to American citizens or any foreign residents or citizens was jeopardized.

This bill carries millions of dollars to meet the expenses of our Government in keeping military forces in Haiti for the next fiscal year. We are taxing the American people in order to maintain upon foreign soil a large military force against the will of the people of that land. We are there against their will, and our conduct there has aroused, in Latin American states, a feeling of resentment and growing apprehension as to the future policy of this Republic in dealing with small countries and weak states in Central and South America.

The Haitian people resented the forcing upon them, at the point of the bayonet, of a so-called constitution which permitted American capitalists to acquire lands in Haiti. In the constitution under which Haiti operated at the time of our invasion aliens were prohibited from acquiring land. This was a wise provision, because the area of arable land was limited, and the people feared that if foreigners were allowed to acquire landed estates in Haiti there was danger of a system of peonage which would be destructive of the liberty of the people and prevent economic and industrial development. American corporations under this new constitution have acquired very valuable holdings, and thousands of Haitians, fearing American rule and distrusting the future of their country under American occupancy, have left their homes and gone to Cuba and other islands in the Caribbean Sea.

Recently a commission of American citizens went to Haiti for the purpose of investigating the political, economic, and industrial conditions there prevailing. After months of patient and exhaustive inquiry, they have made a report, a copy of which I have before me. If time permitted, I would read to the Senate from this document. It is soon to be published in book form, and I hope Senators will acquaint themselves with the views of this commission. Among the members of the commission were Prof. Paul H. Douglas and Miss Emily C. Balch.

Mr. President, the United States should at once announce its purpose to withdraw from Haiti by the 1st of January of

next year. It should provide for the holding of elections for delegates to a constitutional convention. Having superseded by military force the old constitution of Haiti, opportunity should be given the Haitian people to adopt a constitution which they regard as adequate and suitable to their needs. After the constitution has been prepared provision should be made for its submission to the people, and upon its adoption the Haitian people should be permitted to hold an election to fill the various offices provided for in such constitution. When this is done, and such officers have been elected and have taken the oath of office required by the constitution and have evidenced their readiness to enter upon the duties of their respective offices, we should transfer to them the authority which we now exercise and leave the country to the Haitian people and the control of their government in their own hands.

If the United States pursues this course, it will be making partial reparation for the wrongs which it has done. To do less is to continue a policy violative of the spirit of our institutions, derogatory to the honor of our country, and injurious and oppressive to 2,000,000 people who desire the friendship of this powerful Nation.

Mr. President, I hope that my amendment will be adopted.

Mr. HALE. Mr. President, I have listened with interest to the remarks of the able Senator from Utah [Mr. KING]. I understand that at some future time he will take up this matter in the Senate. I want to say just a word about the treaty, however.

Article XVI of the treaty provides:

The present treaty shall remain in full force and virtue for the term of 10 years, to be counted from the day of exchange of ratifications, and further for another term of 10 years if, for specific reasons presented by either of the high contracting parties, the purpose of this treaty has not been fully accomplished.

Obviously, under the interpretation of the State Department, we are under the treaty still with the Republic of Haiti. Such being the case, I do not think that we should withdraw the marines that the State Department thinks we should keep there. Therefore I hope the Senator's amendment will not be adopted.

Mr. LENROOT. Mr. President, I desire to say just a word.

A few days ago the Senate, in the arbitration resolution with regard to Mexico, by unanimous vote declared that—

By virtue of sovereignty, the duty devolves upon this Government to protect the lives and property of its nationals in foreign countries, which duty is not to be neglected or disregarded.

If the amendment of the Senator from Utah should prevail, it would be in direct conflict with this declaration of the Senate, and hereafter we would say that that does not apply to protecting the lives of our nationals in Haiti.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was rejected.

Mr. BRUCE. Mr. President, I should like to offer an amendment at this point. I send it to the desk and ask to have it stated.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed to amend, on page 8, line 19, by striking out the figures "\$175,000" and inserting in lieu thereof "\$200,000."

Mr. BRUCE. Mr. President, I will say to the chairman of the committee that that is an increase in the present appropriation for laboratory and research work.

Mr. HALE. I have already talked to the Senator from Maryland about this amendment, and I will accept it and take it to conference. However, there should be a further change in the limitation on line 25, where "\$75,000" should read "\$100,000."

Mr. BRUCE. Yes.

The VICE PRESIDENT. Without objection, the two amendments will be agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

ADDRESS OF SENATOR BRUCE, OF MARYLAND

Mr. GEORGE. Mr. President, I ask leave to have printed in the RECORD a notable address recently delivered in the city of Washington by the junior Senator from Maryland [Mr. BRUCE].

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is here printed, as follows:

HISTORY

MR. BRUCE. Mr. Chairman, ladies and gentlemen, I am afraid that I am but poorly entitled to the distinction of being asked to say a few words on this interesting occasion. I have never been an editor, or even an associate editor of an historical magazine; indeed, I have never contributed a paper to such a magazine. Nor have I ever written the history of any country, community, or people. In fact, if my memory does not fail me, I have never written anything relating to history in the general sense of that term. If I can be called an historian, it is only because the history of a country is but the biographies of its great men; a conclusion to which I by no means assent. It so happens that I have been able to flitch enough time from the practice of the law and public life to write two biographies, one a life of Benjamin Franklin, and the other a life of John Randolph of Roanoke. Several years ago Chief Justice Taft asked me how I came to select just those subjects for biographical treatment. "Because," I replied, "my thought was first to write the life of the most normal man that ever lived—Franklin; and then to write the life of the most abnormal man that ever lived—Randolph." The Chief Justice laughed, and did me the honor to say that my idea was not a bad one.

But one qualification I do possess for giving expression to the feelings and purposes of this occasion. From my boyhood, the study of history, including that of biography, has been my favorite study. In truth, history, even though it is devoid of the illusion of fiction, is to me fully as captivating as fiction. I find it difficult to understand how anyone can be so absorbed in the present as to be wholly dead to the charm which lurks in the laws, the institutions, the customs, the usages, and the habits of the past. Almost every intelligent person derives delight from the novel aspects of nature, the strange types of humanity, and the unfamiliar modes of life brought to his eye by travel in foreign lands.

Very much the same sort of pleasure is imparted to the human mind by the vivid contrasts between the present and the past of even the same people which reading brings home to it; and I hardly need add that even to the individual history is full of instruction as well as pleasure; but especially to the administration of public affairs are its lessons and warnings of the very highest degree of significance. Many a blunder has been made in my time by the legislature that would not have been made if it had only been a little more conversant with the admonitions of past eras. It was partly for the want of such knowledge that over and over again our public men have had to be taught that such civil blessings as ours can not be enjoyed except by giving free scope to the principles of individual initiative and ambition, that government is powerless to confer value upon a currency merely by its fiat, and that industrial undertakings usurped by government at the expense of its own citizens and taxpayers invariably, or all but invariably, result in ruinous deficits. Moreover, the past, the present, and the future are but links in the same endless chain of succession; and Edmund Burke has truly and nobly declared that people will not look forward to posterity who never look back to their ancestors.

Many pithy things have been said about history. "It is philosophy, teaching by examples," Bolingbroke asserts in his stately way; Plunket pooh-poohed it as an "old almanac," and Henry Ford once desisted long enough from turning out Ford "flivvers" to stigmatize it as "bunk." Napoleon said it was but fiction agreed upon. Dr. Samuel Johnson, in one of his dogmatic moments, set down the historian in effect as only a poor creature. Johnson's idea was that what he writes is either false or true; if false it is not history, and if true it is only what any other historian would write. Of course, such a sweeping estimate of the historian loses sight of the fact that complete fidelity to the truth of history can not be attained by anything except the human imagination in its higher forms and a selective instinct of the rarest order. A mere chronicle is no more a history than a mere photograph is a portrait.

Augustine Birrell claims that history is a pageant and not a philosophy. In my judgment, it is both. Vividly narrated, it is a pageant. Sagaciously interpreted, it is a philosophy. There was a time when it was handled as if it were all pageant. The ordinary concerns of human existence were supposed to be beneath its dignity, and its attention was almost exclusively limited to the rise and fall of dynasties, to battles on sea and land, to sieges, to treaties, to congresses and ecumenical councils, to the scepter and crown, to knights and ladies, to tournaments and fields of cloth of gold, to court intrigues, and to the enervating or fatal blandishments of court favorites; but since the time of Voltaire, at any rate, history has had a more correct conception of its office. It has learned duly to take into account the lives of the common mass of men as well as their rulers, and to present us with a graphic version of what the many as well as the few felt, thought, or did in bygone times.

Writers of history no longer believe that they demean themselves or their subject, when, in addition to narrating the events that make up the pomp and circumstance of war, or the more startling triumphs of statecraft, they tell us what provision our ancestors made for industry, commerce, and trade, for highways, for the punishment of crime, for education, for the relief of the indigent, for the promotion

of human health, comfort, convenience, knowledge, and enjoyment in all their leading forms. They even condescend to tell us how our ancestors dressed, ate, and drank, and to what pastimes, recreations, and amusements they resorted for pleasure. And while history has become the handmaid of common life, as well as of the great world, so far as narration is concerned, it has also taken on a more profoundly philosophical character. So true is this that we sometimes now even hear such a phrase as "the science of history." According to this science, given the same environment, every society of human beings would, in the end, come to the same thing.

If Germany, like England, had been a "precious stone set in the silver sea," to use Shakespeare's lovely image, Westminster Hall would have been a German edifice, and Magna Charta, the habeas corpus act, and the Bill of Rights would have been muniments of German and not of English liberty; and if England had been placed on the European Continent and flanked on one side by semibarbarous Russia and on the other by war-like and aggressive France, the English would have bred tall grenadiers and built up a military system strong and unscrupulous enough to menace the peace of the world. Such ideas, of course, can very readily be over-worked.

In no history are the elements of pageantry and philosophy more strikingly combined than in our own. It would be hard to imagine anything more impressive or dramatic than the grand procession of events which begins with the light on Watling Island that the straining vision of Columbus descried through the night and which ends with the Army of 4,000,000 men that the United States organized 435 years afterwards for the purpose of redressing the lost balance of human freedom in the Old World. For many years of our national life it was the habit of our people to think of our national history as lacking in the romantic and picturesque features of European history. The idea was simply another token of the servitude to European standards and beliefs which prevailed in the earlier stages of our national history. From end to end that history is crowded with dramatic episodes and incidents and is instinct with life and color. First, we have the daring exploits of the early Spanish explorers—Ponce de Leon, Pineda, Narvaez, Cabeza de Vaca, Fray Marcos, Coronado, and De Soto—and the early French explorers—Joliet, Père Marquette, and La Salle.

Then we have the soul-stirring story of the bitter hardships encountered by the Roanoke, Jamestown, and Plymouth colonists. Then follows the long and doubtful struggle between the French and their dread ally, the Red Indian, on the one hand, and the English colonists on the other, for the possession of the American continent, which will live forever in the graphic pages of Francis Parkman. Then follows, if we lay aside for a moment the general history of the United States, the winning of the West, which is nothing less than one of the great epics in the life of the human race. In the expeditions of Lewis and Clark and other heroic pathfinders over the face of the western wilderness filled with wild beasts and ferocious savages and mantled by death and danger as with a pall, there is enough material to inspire the genius of another Sir Walter Scott.

Nor is the general history of the United States by any means lacking in the pictorial characteristics which distinguish the history of other lands. The genius of Hawthorne is a sufficient illustration of the readiness with which the Puritan commonwealth of New England, with all its salient contradictions, can be made to subserve the highest purposes of art. The Horseshoe Robinson of John P. Kennedy, a story which is neglected far more than it deserves, shows what our Revolutionary War holds out to the novelist. The sea tales of James Fenimore Cooper furnish proofs enough that the maritime achievements of our people in the War of 1812 need only the warmth of a brooding imagination to be transmuted into delightful fiction. The stirring Uncle Tom's Cabin of Harriet Beecher Stowe, and the captivating stories of Thomas Nelson Page indicate clearly enough what treasures a truly original mind can unearth in the variegated conditions of the old southern social life.

Our Indian wars; the Mexican War; our Civil War, almost if not the only war in human history that in its ultimate effects proved a victory for both the victor and the vanquished; the Spanish-American War, which dislodged the last foothold of Spain in the Western Hemisphere; and the World War, which brought the Old World and the New World almost as closely together as if they were but battling frigates, supply the writer of fiction with every facility for the exercise of his creative talents that war has ever supplied.

And in no history can the philosophy of history be so advantageously studied as in ours. There are fewer mists of legend, fable, and deceptive tradition to be dissipated. There is no hoar of remote antiquity to be brushed away. Pretty much everything is a matter of written or printed record. Every event, every incident, every transaction, is open to the eye, if only the eye has the proper measure of discernment. Effects are found hard by their causes. The full flood of the river is so close to its feeble fountains that almost its whole course can be taken in at a single glance. The reactions of institutions upon human beings and of human beings upon institutions can be traced with a facility almost unknown to the annals of any other country. Nowhere are the beneficent results of good government more patent; nowhere can the morbid sequels of bad government be more profitably studied. Nowhere does the past speak its word of persuasion or warn-

ing less dubiously. Nor should we forget that if the United States has made no other invaluable contribution to the welfare of the world, she has made one in the labors and thoughts of those great men—Washington, Adams, Hamilton, Jefferson, Madison, Marshall, Lincoln, Cleveland, Roosevelt, and Wilson—to whom it was given to create or maintain, with the aid of their less-distinguished fellow workers, a commonwealth without monarch, noble, or pontiff, and based upon the popular will alone, which has in less than a century and a half reached a pitch of actual wealth and potential power unexampled in the history of mankind.

Such is the history that this meeting is intended to promote. It is certainly one to gratify the patriotism of every true American. To search out, assemble, edit, and publish all manuscript materials relating to it whether in the form of books, documents, essays, journals, diaries, letters, or other writings to clear up all points of controversy, affecting it, which have never been satisfactorily settled, to free it of the perversions and blemishes which have been imposed upon it by partisanship or incompetent treatment; to correct and perfect it as it deserves, and to make every American feel, so far as possible, that it is the noble and admirable thing that it is; these are indeed tasks which should be encouraged and assisted by every means in our power, and they are tasks that no agency, of which I know, is so likely successfully to forward as the American Historical Association, an association conducted by trained historical students, and pledged by the very nature of its organization and aims to the stern spirit of historic truth without which history had better not be written at all.

In conclusion, let me say that I trust that this occasion will bear good fruit, that it will give an additional impulse to the movement which is now on foot to obtain an endowment of not less than \$1,000,000 for the work of the American Historical Association, and that hereafter, it will be accounted not the least of the influences by which that result shall have been achieved. Every month or so, some wealthy citizen of the United States dies, leaving a million or more of dollars for the promotion of human well-being, in one form or another. Surely, among the vast host of individuals, who people the land, to which our forefathers gave so freely of their blood and treasure, enough can be found to come forward, at this time, and to assure the completion of the endowment fund which I have just mentioned. Then, and not until then, shall we be able to say to the beauteous muse of American history, in the words of Drummond's invocation, to bright Phoebus:

"Spread forth thy golden hair
In larger locks than thou wast wont before."

EXECUTIVE SESSION

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened.

RECESS

Mr. CURTIS. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 41 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, February 2, 1927, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 1, 1927

UNDERSECRETARY OF THE TREASURY

OGDEN L. MILLS, of New York, N. Y., to be Undersecretary of the Treasury, in place of Garrard B. Winston, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 1, 1927

UNDERSECRETARY OF THE TREASURY

OGDEN L. MILLS to be Undersecretary of the Treasury.

POSTMASTERS

FLORIDA

William R. Wright, Coronado Beach.
Matye E. Mills, Cross City.
Royal W. Storrs, De Funiak Springs.
Archibald I. Nearing, Marianna.

NORTH CAROLINA

Wade H. Kinlaw, Lumberton.

VERMONT

William H. Lang, Beecher Falls.
Lester E. Boyce, Ludlow.
Herbert L. Bailey, Putney.
Vernie S. Thayer, Readsboro.
Ray H. Dearborn, South Fairlee.

LXVIII—171

HOUSE OF REPRESENTATIVES

TUESDAY, February 1, 1927

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, we pause in Thy holy presence; may each one feel that he is remembered. We thank Thee for earthly labor. May we perform it diligently, faithfully, and patiently. Clothe us with cleanliness, and reveal unto us the secret truths out of Thy Holy Word. Linger with us like a beloved friend loath to leave. Revive in us our best energies, and rekindle upon the hearthstones of our hearts a blessed passion for the hidden things of God. O bless our restless spirits, and help them to yearn for Thee. At evening time give us peace and satisfaction. In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

FARM-RELIEF LEGISLATION

Mr. SNELL, from the Committee on Rules, reported House Resolution 405 (Report No. 1907), providing for the consideration of H. R. 15474, to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities, which was referred to the House Calendar and ordered printed.

AUTHORIZING SUBCOMMITTEE OF COMMITTEE ON DISTRICT OF COLUMBIA TO ISSUE SUBPOENAS, ETC.

Mr. MACGREGOR. Mr. Speaker, I ask unanimous consent for the present consideration of House Resolution 350, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 350

Resolved, That the subcommittee of the Committee on the District of Columbia, now engaged, pursuant to a committee resolution, in an investigation of the government of the District of Columbia, be authorized to issue subpoenas, to send for persons and papers, to administer oaths, and to employ such clerical and other assistance as may be necessary.

That the expenses of the same, not to exceed \$2,500, shall be paid out of the contingent fund of the House upon vouchers approved by the chairman of the House Committee on the District of Columbia.

With the following committee amendment:

Page 1, line 8, strike out the figures "\$2,500" and insert in lieu thereof the figures "\$1,500."

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the resolution which the Clerk has reported. Is there objection?

Mr. SNELL. Mr. Speaker, reserving the right to object, do I understand that this is presented as a privileged report or simply as a unanimous-consent request?

The SPEAKER. The gentleman from New York asks unanimous consent for its present consideration.

Mr. SNELL. Mr. Speaker, a part of this resolution at least should go to the Committee on Rules, which committee has jurisdiction over the matter of granting additional authority to the Committee on the District of Columbia. I would not want this to be taken as a precedent on the part of the House that the Committee on Rules intends to yield to this sort of a proposition coming from the Committee on Accounts. With that understanding, I have no objection to the resolution being considered at this time.

Mr. CHINDBLOM. Mr. Speaker, further reserving the right to object, will the gentleman kindly tell us the necessity for this resolution?

Mr. MACGREGOR. Mr. Speaker, I yield to the gentleman from Vermont [Mr. GIBSON], the chairman of the subcommittee of the Committee on the District of Columbia.

Mr. GIBSON. Mr. Speaker, if I may be indulged for a moment to state what we are doing, I shall do so very briefly. This subcommittee was authorized by the House Committee on the District of Columbia to make a survey of the government of the District of Columbia. This work is progressing with a view of finding out if conditions exist which need a remedy, and attempting to apply a remedy through our recommendations. Take, for instance, the office of the recorder of deeds. We find the recorder of deeds is 15 months behind in the recording of real-estate transfers that are put into his office for record. We have made recommendations, with the approval of the recorder of deeds and the Committee on Appropriations, to remedy that trouble, with recommendations which will result in a saving of \$30,000 a year to the District in perpetuity and

make the work current. Answering the gentleman's question directly, the Government is about to acquire some property along Pennsylvania Avenue for building purposes. Our investigation shows a peculiar condition of affairs existing in connection with the selection of juries in condemnation proceedings. I hope that we will not use a dollar of this money, but we do want the authorization so that we may subpoena witnesses and have the money with which to pay the witnesses, in order that we may find a way to break the system that threatens to get millions of dollars out of the Government through this condemnation proceeding.

Mr. CHINDBLOM. The gentleman and his committee feel that they need compulsory process?

Mr. GIBSON. We feel that we may need compulsory process in dealing with that situation.

Mr. CHINDBLOM. The committee now has authority to swear witnesses.

Mr. GIBSON. Yes.

Mr. CHINDBLOM. And it is only compulsory process and expenditure that is involved.

Mr. GIBSON. Yes.

Mr. CHINDBLOM. I shall not object.

Mr. SNELL. Mr. Speaker, I give notice at this time that I shall be obliged to object to any resolution of this character in the future. I shall not object to this.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on agreeing to the committee amendment.

The amendment was agreed to and the resolution as amended was agreed to.

LEGISLATIVE APPROPRIATION BILL

Mr. DICKINSON of Iowa, from the Committee on Appropriations, reported the bill (H. R. 16863, Rept. No. 1909) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1928, and for other purposes, which was read a first and second time, and with the accompanying report, was referred to the Committee of the Whole House on the state of the Union and ordered printed.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. FUNK. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 16800) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenue of such District for the fiscal year ending June 30, 1928, and for other purposes.

The SPEAKER. The question is on the motion of the gentleman from Illinois that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the District of Columbia appropriation bill.

The question was taken.

Mr. KINCHELOE. Mr. Speaker, my colleague, the gentleman from Kentucky [Mr. JOHNSON], who soon will have served 20 years in Congress, and is about to leave us, is to make an address on a very interesting bill, in which the House is much interested, dealing with a subject about which he knows more I think than perhaps any other Member. Therefore, I object to the vote, and make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Kentucky objects to the vote and makes the point of order that there is no quorum present. It is evident that there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absent Members, and the Clerk will call the roll. The question is on the motion of the gentleman from Illinois that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the District of Columbia appropriation bill.

The question was taken; and there were—yeas 345, nays 0, not voting 88, as follows:

[Roll No. 22]

YEAS—345

Abernethy	Aswell	Black, N. Y.	Briggs
Ackerman	Ayres	Black, Tex.	Brigham
Adkins	Bacharach	Bland	Browne
Aldrich	Bachmann	Blanton	Browning
Allen	Bacon	Bloom	Brumm
Allgood	Bankhead	Boles	Buchanan
Almon	Barbour	Bowles	Bulwinkle
Andresen	Beck	Bowling	Burdick
Andrew	Beedy	Bowman	Burtness
Appleby	Beers	Box	Burton
Arnold	Begg	Brand, Ga.	Busby

Byrns	Gifford	McClintic	Simmons
Campbell	Gilbert	McDuffie	Sinclair
Canfield	Glynn	McFadden	Sinnett
Cannon	Goodwin	McKeown	Smith
Carew	Green, Fla.	McLaughlin, Nebr.	Snell
Carpenter	Green, Iowa	McLeod	Somers, N. Y.
Carrs	Greenwood	McReynolds	Sosnowski
Carter, Calif.	Griest	McSwain	Speaks
Carter, Okla.	Griffin	McSweeney	Spearing
Chalmers	Hale	MacGregor	Sproul, Kans.
Chapman	Hall, Ind.	Magee, N. Y.	Stalker
Chinblom	Hall, N. Dak.	Major	Stegall
Christopherson	Hammer	Mansfield	Stevenson
Clague	Hardy	Martin, Mass.	Strong, Pa.
Cochran	Harrison	Menges	Summers, Wash.
Cole	Hastings	Merritt	Summers, Tex.
Collier	Haugen	Michener	Swank
Collins	Hawley	Miller	Swing
Colton	Hayden	Milligan	Taber
Connally, Tex.	Hersey	Mooney	Taylor, Colo.
Connelly	Hickey	Moore, Ky.	Taylor, Tenn.
Cooper, Wis.	Hill, Ala.	Moore, Ohio	Taylor, W. Va.
Corning	Hill, Md.	Moore, Va.	Temple
Cox	Hill, Wash.	Morehead	Thatcher
Coyle	Hoch	Morgan	Thomas
Crisp	Hogg	Morin	Thompson
Crosser	Holaday	Morrow	Thurston
Crowther	Hooper	Nelson, Me.	Tillman
Crumacker	Houston	Nelson, Mo.	Tilson
Cullen	Howard	Newton, Minn.	Timberlake
Dallinger	Huddleston	Norton	Tracy
Darrow	Hudson	O'Connell, N. Y.	Tucker
Davis	Hudspeth	O'Connell, R. I.	Tydings
Deal	Hull, Tenn.	O'Connor, La.	Underhill
Denison	Hull, William E.	Oldfield	Underwood
Dickinson, Iowa	Irwin	Oliver, Ala.	Updike
Dickinson, Mo.	Jacobstein	Oliver, N. Y.	Upshaw
Dickstein	James	Parker	Vale
Dominick	Jeffers	Parks	Vare
Doughton	Jenkins	Peery	Vestal
Douglass	Johnson, Ind.	Perkins	Vincent, Mich.
Dowell	Johnson, Ky.	Perman	Vinson, Ga.
Drane	Johnson, Tex.	Porter	Vinson, Ky.
Driver	Johnson, Wash.	Pou	Voigt
Dyer	Jones	Pratt	Wainwright
Eaton	Kahn	Purnell	Walters
Edwards	Kearns	Quin	Warren
Elliott	Keller	Ragon	Watson
Ellis	Kelly	Rainey	Watres
Eslick	Kemp	Ramseyer	Watson
Esterly	Kerr	Rankin	Weaver
Evans	Ketcham	Ransley	Wefald
Fairchild	Kiefner	Rathbone	Welch, Calif.
Faust	Kless	Rayburn	Welsh, Pa.
Fenn	Kincheloe	Reece	Wheeler
Fisher	Kirk	Reed, Ark.	White, Kans.
Fitzgerald, W. T.	Knutson	Reid, Ill.	Whitehead
Fletcher	Kopp	Robinson, Iowa	Whittington
Fort	Kunz	Robison, Ky.	Williams, Ill.
Foss	Kurtz	Rogers	Williams, Tex.
Fredericks	Kvale	Rowbottom	Williamson
Free	LaGuardia	Ruby	Wilson, La.
Freeman	Lampert	Rutherford	Wilson, Miss.
French	Lanham	Sabath	Winter
Frothingham	Lankford	Sanders, Tex.	Wolverton
Fulmer	Larsen	Sandlin	Wood
Funk	Lazaro	Schaefer	Woodruff
Furlow	Lea, Calif.	Schneider	Woodrum
Gallivan	Leatherwood	Scott	Wright
Gambrell	Leavitt	Sears, Fla.	Wurzback
Garber	Lehlbach	Sears, Nebr.	Wyant
Gardner, Ind.	Lineberger	Seger	Yates
Garner, Tex.	Linthicum	Shallenberger	Zihlman
Garrett, Tenn.	Lowrey	Shreve	
Garrett, Tex.	Lozier		
Gibson	Luce		

NOT VOTING—88

Anthony	Drewry	Lyon	Reed, N. Y.
Arentz	Englebright	McLaughlin, Mich.	Romjue
Auf der Heide	Fish	McMillan	Sanders, N. Y.
Bailey	Fitzgerald, Roy G.	Madden	Smithwick
Barkley	Frear	Magee, Pa.	Sproul, Ill.
Bell	Gasque	Magrady	Stedman
Berger	Golder	Manlove	Stephens
Bixler	Goldsborough	Martin, La.	Stobbs
Boylan	Gorman	Mead	Strong, Kans.
Brand, Ohio	Graham	Michaelson	Strother
Britten	Hadley	Mills	Sullivan
Butler	Hare	Montague	Swartz
Celler	Hull, Morton D.	Montgomery	Sweet
Cleary	Johnson, Ill.	Murphy	Swoope
Connolly, Pa.	Johnson, S. Dak.	Nelson, Wis.	Taylor, N. J.
Cooper, Ohio	Kendall	Newton, Mo.	Tincher
Cramton	Kindred	O'Connor, N. Y.	Tinkham
Curry	King	Patterson	Tolley
Davenport	Lee, Ga.	Peavey	Weller
Davey	Letts	Phillips	White, Me.
Dempsey	Lindsay	Prall	Wingo
Doyle	Little	Quayle	Woodyard

So the motion was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. Madden with Mr. Bell.
 Mr. Anthony with Mr. Kindred.
 Mr. White of Maine with Mr. McMillan.
 Mr. McLaughlin of Michigan with Mr. Wingo.
 Mr. Butler with Mr. Stedman.
 Mr. Mills with Mr. Quayle.
 Mr. Connolly of Pennsylvania with Mr. Montague.
 Mr. Newton of Missouri with Mr. Lindsay.
 Mr. Patterson with Mr. Hare.

Mr. Dempsey with Mr. Gasque.
 Mr. Stephens with Mr. Drewry.
 Mr. Graham with Mr. Cleary.
 Mr. Johnson of Illinois with Mr. Barkley.
 Mr. Sweet with Mr. Auf de Heide.
 Mr. Kendall with Mr. Romjue.
 Mr. Johnson of South Dakota with Mr. Sullivan.
 Mr. King with Mr. Goldsborough.
 Mr. Strother with Mr. Smithwick.
 Mr. Sproul of Illinois with Mr. Boylan.
 Mr. Phillips with Mr. Davey.
 Mr. Swoope with Mr. Kemp.
 Mr. Manlove with Mr. Lee of Georgia.
 Mr. Bailey with Mr. Mead.
 Mr. Arentz with Mr. Little.
 Mr. Brand of Ohio with Mr. Celler.
 Mr. Cooper of Ohio with Mr. Martin of Louisiana.
 Mr. Golder with Mr. Doyle.
 Mr. Michaelson with Mr. O'Connor of New York.
 Mr. Britten with Mr. Lyon.
 Mr. Murphy with Mr. Weller.
 Mr. Curry with Mr. Berger.
 Mr. Reed of New York with Mr. Peavey.
 Mr. Stobbs with Mr. Frear.
 Mr. Roy G. Fitzgerald with Mr. Nelson of Wisconsin.

The result of the vote was announced as above recorded.
 The doors were opened.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16800, with Mr. CHINDBLOM in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16800, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 16800) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenue of such District for the fiscal year ending June 30, 1928, and for other purposes.

The CHAIRMAN. When the committee rose last evening the gentleman from Illinois had 1 hour and 56 minutes of his time remaining, and the gentleman from New York [Mr. GRIFFIN] 1 hour and 34 minutes.

Mr. FUNK. Mr. Chairman, I yield 30 minutes to the gentleman from Kentucky [Mr. JOHNSON]. [Applause.]

Mr. JOHNSON of Kentucky. Mr. Chairman, it is not my purpose to address myself to the pending appropriation bill; instead I wish to confine my remarks, as nearly as possible, to a discussion of what we know as the "whisky bill" now before the Ways and Means Committee of this body. The bill was introduced by Mr. GREEN of Iowa on December 22, 1926. For that bill another, with many amendments, is the one that is really being considered by the committee. That is marked "Confidential, Committee Print No. 1 of the House of Representatives (15601)."

Before I reach the bill for discussion I find the temptation to be irresistible to depart somewhat and make some comment upon an article which I saw yesterday afternoon in the Washington Times. The conclusion of that article says:

Mr. Wayne B. Wheeler, counsel of the Anti-Saloon League, is reported as having said that the dispensing with the undercover men will make it harder to enforce the law, and that the refusal would show there are men in Congress who would wreck any kind of enforcement simply because of their prejudice to prohibition.

I sincerely trust that the reflection upon this membership attributed to him was not warranted by what he said and that he has been misquoted. I have been here a score years. I know that this is an honorable body of men; that they will not violate their constitutional oaths; that they will not violate the laws of the land in an attempt to defeat prohibition or any other measure. Relative to this membership, may I read what I said about four years ago regarding it:

Here have come noble characters; here have come the intellectual geniuses of our Nation; here have come sweet-tempered souls; here have come those to whom the distressed, whether individual or nation, may not appeal in vain.

Membership here never was, is not, never will be, the goal of the sordid; here integrity reigns; here good purposes prevail; here laudible ambition aspires; here patriotism is in absolute control.

For membership here fortune is scorned, envy is challenged, detraction endured, slander and libel braved, even violence defied. Yet it has become the fashion for little men to ridicule and abuse a body which would neither be enlightened nor purified if made up entirely of them. [Applause.]

My observation of those who have come and gone during a score of years, a study of those who now are here, tells me that if during that long time a man dishonest at heart has been elected to this body, he has upon assuming its obligations left that heart outside and brought within only his best judgment and a feeling of loyalty to his coun-

try and gratitude to those who honored him and put their trust in him.

An official entrance here inspires one with the feeling that, no matter what the temptations may be, he must not only be correct, but he must so conduct himself that even the envious and malicious may not point the finger of even unwarranted suspicion.

The newspaper article to which I have just referred recites some statements alleged to have been made by General Andrews, who is at the head of the Prohibition Enforcement Unit.

It says:

General Andrews apparently was angered at the reaction in Congress to his plan for the continued use of undercover agents.

Then further it says also in quotation marks:

Unless the whisky corporation bill is passed I shall call a conference of Government officials to prepare for the issuance of permits for the manufacture of medicinal whisky. This, of course, would be highly expensive to supervise and open the way for the greater diversion of liquor.

The bootleggers, apparently, are the only people who appreciate the importance of the whisky bill.

There is no good medicinal whisky being manufactured abroad.

He threatened, so the Times said, to do two things after March 4 if Congress fails to act: Issue permits to distilleries all over the country to manufacture medicinal whisky.

Invoke old revenue laws to confiscate buildings in which moonshine liquor is made.

So, if General Andrews be correctly quoted, he will kick prohibition into smithereens unless Congress adopts his pet measure to give all the profits from the liquor traffic to his preferred half dozen men.

Further, it seems that General Andrews will be angered into actually enforcing the laws now on the statute books unless his chosen handful of former distillers be given a monopoly in making the Nation wet again.

I can not pass without comment his statement that—

The bootleggers apparently are the only people who appreciate the importance of the whisky bill.

Why, may I ask, should the bootleggers not appreciate it? Ultimately they will own General Andrews's corporation if they fail to own it immediately after two years.

Then, may I ask, why General Andrews's bill provides for the importation of whisky if, as he says—

* * * no good medicinal whisky is being manufactured abroad.

In other words, unless these half dozen men are given the exclusive right to manufacture all the whisky to be sold in the United States he is going to open up hundreds of big distilleries throughout the length and breadth of this land.

It may be well for Members to understand the viewpoint from which I criticize General Andrews's bill. Forty-eight years ago, notwithstanding the fact that I live in the biggest, straight whisky producing county in the United States, I cast my first vote to close the saloons in my home town. [Applause.] From that day to this no prohibition measure has come before me that I did not support. I voted for the eighteenth amendment; I voted for the Volstead Act; and I would vote for them again if I had the opportunity. [Applause.]

So, gentlemen, I wish you to understand that I am not talking against this bill from the standpoint of any interest in whisky. This bill is properly named a whisky bill. If enacted into law, it is going to fill the United States with whisky as it has not been since the war-time prohibition came.

First, in dissecting the bill itself, let me invite your attention to the fact that under this bill five kinds of liquor may be handled by this favored corporation: First, whisky in bond upon which the tax has not been paid (p. 18, line 20); second, whisky in warehouses upon which the tax has been paid (p. 18, line 20); third, whisky anywhere in the United States, no matter in whose hands it may be, upon which the tax has been paid (p. 21, line 12); fourth, imported whisky (p. 23, line 1); and fifth, whisky, bootleg or moonshine whisky (p. 21, line 13).

I make some broad statements; but I am prepared, if challenged, to prove the truth and correctness of every statement I have made by quotations from the bill itself. Just here I would like to ask the stenographer, in having my remarks typewritten, that extra space be left between the lines in order that in that extra space, when I come to revise my remarks, I may, in parenthesis, cite the page and line to warrant any statement I may make about the bill.

Reverting once more to this membership we hear, you know, that they are dissipated; that they get drunk. No doubt to-day you will find a convicted bootlegger, a white-slave trader, a moonshiner, all in one person, standing at yonder door, sending in for Members in order to be seen

with them so that when he is arrested and convicted and sentenced to jail for moonshining he may parade himself in the newspapers by saying that he will get off; that too many Senators and Representatives have been buying whisky from him, when in fact he may have sold only to employees. He has been convicted of bootlegging from Texas to the District of Columbia. He had the impudence not long ago to address me. To his face I used an epithet that I can not use in this presence. But I may say that, in my opinion, if this fellow's pedigree were analyzed, at the very first cross, the top cross, you would find a reckless, roving, dissolute canine, of the female persuasion. Yet why this miserable creature is not driven from the Capitol I do not know. He is the man who is doing this body more harm than anybody else. In the 20 years I have been in this House I am able to count 27 Members who have been in my residence down in Kentucky. I invited each one of them to take a drink, but all of them declined, and all of them were sincere, because none of them knew that I did not have any liquor to give to them. [Applause.]

Now, further, as to the bill. The first thing that we find in it worthy of notice is the definition of "medicinal spirits," spirits to be used for medicine. The definition is: "The term medicinal spirits means whisky, brandy, rum, gin, and other distilled spirits, except alcohol."

That means that any distilled spirits, no matter by whom or when or under what circumstances distilled, may be baled out as medicine by this gigantic corporation. This corporation of a chosen few is to be subsidized with the people's money to the extent of \$35,000,000 (p. 12, lines 7 to 14).

This bill provides that the Treasurer of the United States may purchase the gold notes of this corporation from money in the Treasury that belongs to the people (p. 14, lines 13 to 19) without giving even a 5-cent piece as security to the United States Government that they will ever repay the loan. But they go further than that in making it perfectly clear that they intend to escape liability if they can. They provide that the stockholders shall not be liable for a penny of the debts of the corporation. (See p. 11, lines 1, 2.) They go further than that in two different places in the bill, and provide that in case of a judgment against the corporation none of its property shall be seized or sold or taken from them unless it is something for which they, in their opinion, have no use. (See p. 18, lines 1 to 7.)

The \$35,000,000 that they are to get from the Treasury is to be gotten upon what the bill terms "gold notes." It does not say they are notes to be paid in gold; but it calls them "gold notes," and I am ready to believe—and I think I can show—that they really and genuinely contemplate paying that debt in gold bricks if they get the money out of the Treasury.

For the purposes of taking over all kinds of whisky they invoke the law of eminent domain. The bill gives this corporation the right to acquire whisky by condemnation. (See p. 27, lines 5 to 14.)

General Andrews said before the committee that it was not the intention that the Secretary of the Treasury should buy these gold notes; that that language was put in the bill to induce the public to buy them by inspiring confidence. That was the substance of what he said before the committee. Yes; they contemplate selling to the public.

The following language in the bill shows that—

The issuance and sale by the corporation, and the sale by dealers or other persons, of its stock or notes shall not be subject to regulation by any State under laws relating exclusively to the prevention of fraud or imposition in the issuance or sale of securities. (P. 34, lines 4 to 9.)

So if a Secretary of the Treasury were to tell the corporation to go into the States first in order to sell their unsecured, wildcat paper before he would buy it with public money the "blue sky" laws would be suspended, provided the Congress has the right to annul State laws.

The bill proposes by that provision to perpetrate a fraud on the people in the States, notwithstanding that the States try to protect them. Of course, those who would go into the States to sell this unsecured stock would cite the provision in the bill indicating that the securities were good enough for the Government to buy.

Why do they want to permit this corporation to import whisky? If whisky is to be made—and I do not think it should be—why not make it with American labor?

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. GRIFFIN. Mr. Chairman, I yield the gentleman 15 additional minutes.

Mr. JOHNSON of Kentucky. If you are going to make whisky, why not make it out of corn grown in the United

States? [Applause.] There is the great northwestern Corn Belt. When we made whisky in Kentucky we bought our corn in the Northwest because it contained more starch than Kentucky corn. By this bill they provide, or the effect of it is, that distilleries may be started in Canada or elsewhere—whisky made with Canadian labor—whisky made of Canadian corn, and then brought into this country and sold.

Down at the Women's Christian Temperance Union the other day the national president of that wonderfully great society said it had been explained to her that under this bill there would be but two distilleries in the United States, one to make rye whisky and the other to make Bourbon. I had no opportunity to say so then, but I will say now that the bill does not mention either rye or Bourbon. More camouflaged stuff has been given to the press and through propaganda regarding this bill in order to deceive the people than you can shake a stick at.

We hear much about the Coast Guard and its wonderful and successful efforts in breaking up rum row, and beating back the whisky exporters of other nations. Do you know that by this bill this favored whisky corporation seeks the right to export whisky from the United States to other countries (p. 32, line 11), and when they do that they do not pay any tax on it, because under the Constitution there can be no tax on an export.

In 1895 or 1896, along about there, when the distilleries in Kentucky had their whisky all forced out of bond they could not get the money with which to pay the tax; then they shipped their whisky to Bremen free of tax, and there sold it to the European nations. By this bill they seek to compete with "rum row" out here off our own shore, with all these ships coming in day and night bringing whisky. The good women of whom I have just spoken raise up their voices in prayer and ask that importations from other lands to our shores be stopped; that other nations stop undertaking to deluge our country with their whisky. This bill seeks to give to this whisky corporation the right to make the people of other nations drunk. If their sisters on yonder side of the seas could know of this attempt would they not uplift their voices in fervent prayer asking their sisters on this side to stop that thing, that our whisky might not go to them to debauch their girls and boys?

I wish I had time to fully discuss this bill. Next, let me show you how much money they expect to make out of it. They say there are 15,000,000 gallons of whisky in the United States. Either the Federal Treasury or the suckers out in the States are to furnish the unsecured \$35,000,000 with which this business is to be started. With that money they are to buy up whisky; and then, under the bill, nobody except this concern may sell (p. 30, lines 22 to 24); then, they can sell at their own price (p. 32, lines 1, 2), but this bill provides that they shall immediately, when they commence to sell, create a sinking fund; that they shall put \$5 into that sinking fund from every gallon of whisky they sell. That would be \$5 for every gallon, \$1.25 for every quart and 62½ cents for every pint. Whisky is now dispensed by the pint. They are to put 62½ cents out of every pint of whisky sold into the sinking fund. It is stated inferentially that the sinking fund, would, in two years, be sufficient to pay off the \$35,000,000 gold notes; although, to guard against contingencies, they are to be five-year notes. Of course, it must be taken for granted that the sinking fund is to be made up of profits.

If \$5 for every gallon sold is to go into the sinking fund, then a profit of \$5 a gallon must be made. If a gallon profits to the extent of \$5, a quart will make a profit of a dollar and a quarter, and a pint—the usual quantity sold—will make a profit of 62½ cents.

Then, if this corporation should charge no more than the druggists now charge, which is \$2.50 per pint—and that is \$20 the gallon—and the corporation should buy at the price of \$30 a case, 3 gallons to the case, the whisky would cost them \$10 a gallon. Therefore the corporation would make \$10 a gallon.

If, by making a profit of \$10 a gallon, or 62½ cents a pint, and should they sell enough in two years to create a sinking fund of \$35,000,000 from profits, they must have left the profits of another \$35,000,000 from the difference of \$10 a gallon, between the \$10 a gallon paid for it and the \$20 a gallon realized from the sale of each gallon. So the two profits, one for the sinking fund and the other just mentioned, would amount to \$70,000,000.

But that profit would come from purchased whisky. A larger profit still would be derived from whisky manufactured by the corporation.

The Kentucky distillers used to say that 60-cent corn made 31-cent whisky. Suppose we admit, just for the sake of argument, that whisky manufactured by the corporation cost a dollar a gallon, and that it be sold at present prices—\$20 a gallon—the profit would be \$19 a gallon.

So, when the profit from whisky manufactured by the corporation be added to that purchased, the profits easily would run above \$100,000,000.

Remember, please, that the corporation itself is to determine the reasonableness of the selling price (p. 32, lines 1, 2).

As the corporation is to have the exclusive right to sell (p. 23, lines 16 to 18), there will be no competition; and, consequently, no forced reason to cut the price.

The corporation will not be so restricted in selling as now are the druggists. Of this I shall speak presently. It is perfectly safe to predict that this favored corporation will sell more than the druggists are selling.

What are they going to charge for the bad whisky they are going to bring from Canada and from other places? I mean the bad whisky spoken of by General Andrews. The Lord only knows.

To repeat: Nobody can sell but this corporation. (See p. 30, lines 23 to 25.) Nobody can manufacture but this corporation. (See p. 23, lines 16, 17.)

Now, if nobody can sell but this corporation, what is to be the result? To-day every reputable druggist in the United States who gets a permit may sell by the pint on prescription in his drug store, a decent place. Under this bill, no matter what individual passes the whisky over the counter and receives the money, he is this whisky corporation. The whisky corporation is selling, not the individual. As a matter of course, they will want all the profit they can get. Where will they put these hundreds of thousands of selling places? Will they put them in the reputable drug stores where they now are? I imagine that in order to save rent, in order to hire cheap help, they will put this whisky for sale in some other place. Where? In the back room of somebody's grocery store; in the back room of somebody's soft-drink stand. There is where it will be, and then when the revenue officers come in they will find whisky there, and only a part of it will belong to the whisky corporation, but this fellow will say that all of it belongs to the whisky corporation, and there it ends. If it does not belong to the whisky corporation, then it can be seized and "forfeited" (p. 21, line 13) to the corporation, to be sold by it as medicine, no matter how poisonous it may be.

I omitted to say in my opening remarks anything about the viewpoint from which I speak. I told a little story the other day in which I said that some years ago there were two men in my town named Doctor Forsythe; they were brothers. One of them was a doctor of divinity, and he was always addressed as doctor. The other was a physician, and he also was addressed as doctor. They both lived in the same house, and a boy came riding up to the residence one day and said, "I want to see Doctor Forsythe." The physician said, "Which one of the Doctor Forsythes do you wish to see?" He said, "Well, I do not know. I did not know there was but one," and the physician said, "Tell me your business and then no doubt I can tell you which one you want." He said, "The people over at the Coxe Creek Church sent me to ask Doctor Forsythe to come over there next Sunday and preach for them." The physician then said, "Oh, you want to see my brother. He is the Doctor Forsythe who preaches; I am the Doctor Forsythe who practices." [Laughter.]

As I have said before, I have always voted for prohibition. I am now staring three score years and ten in the face and no drop of intoxicating liquor ever has passed my lips. [Applause.]

Already I have had something to say about the "Right of eminent domain" provision in the bill, but I wish to say more on that subject.

Under the law of "Eminent domain" private property may be taken for public use; provided, of course, it be paid for.

The bill under discussion, by the right of eminent domain, gives the corporation the right to take over by condemnation proceedings the whisky of any other person in the United States.

After it has been taken over by the corporation, that does not merely confer upon the corporation the right or privilege to sell it; but, instead, it imposes the "duty" to sell not only condemned whisky but all whisky. (See p. 32, line 4.)

The language of the bill makes the corporation a public utility. If, by the bill, the corporation is not only given the right to sell, but compels it to sell, who can prevent it from selling? Who can dictate where it may sell or where it may not sell? Its "duty" is to sell anywhere in the United States.

By making a public utility of the corporation, and by imposing upon it the "duty" to sell, does not General Andrews lose all jurisdiction over the corporation?

A railroad is a public utility. So is a street-car company. Neither can refuse to sell a fare, no matter how often applied to.

Under the amended bill with which I am dealing 660,000 shares of preferred stock may be sold, the face value of which is \$100 a share. Also 660,000 shares of common stock may be issued. Whenever a share of preferred stock is sold a share of the common stock goes with it gratis. (See p. 8, lines 3, 4.)

The profits of the business finally will retire or extinguish both the gold notes and the preferred stock, thus leaving the common stock, which cost its owners nothing, to own the corporation.

Who is to get this common stock? The bill provides that when the corporation buys whisky that it may pay for it 50 per cent in money and 50 per cent in preferred stock, a share of common stock to accompany, as a gift, each share of preferred stock.

Thus it will be seen that the half dozen owners of large lots of whisky will get the common stock without paying anything for it. (See p. 19, lines 13 to 25.)

What will that common stock profit its half dozen owners? The bill provides that it may draw a dividend of \$10 a share. (See p. 11, lines 13 to 16.)

An annual profit of \$6,600,000 to be divided among a half dozen favored and hand-picked fellows is not to be sneezed at.

Remember, please, that the common stock cost them nothing. (See p. 8, line 3, and p. 19, line 17.)

If, perchance, a small number of shares should get into somebody's hands, provision is made whereby the big owners may squeeze him out. Page 8, lines 20 to 24, provide as follows:

In case the corporation elects to retire less than the whole of the outstanding preferred stock, the shares to be retired shall be selected in such manner and by such method as the corporation may determine.

I wish now to say something about "undercover" men. I do not care whether you call them undercover men or Secret Service men or detectives. They ought to be continued. We ought to have detectives. We ought to have them right now and all the time, but great damage has been done the cause of prohibition by the kind of undercover men we have had. [Applause.] They have injured prohibition more than any other thing—more than all the other things put together.

Just a few years ago the department here sent a man down into Kentucky. When he "lit" he was in the midst of a number of gentlemen, and his first declaration was that the mother of Christ was a whore and that Jesus Christ himself was a damned bastard. If I remember correctly, those were his exact words. The civil service here took that up. They did not send an underling down there, but one of the Civil Service Commissioners himself went, took sworn testimony, and brought it all back here in writing. Then the Civil Service Commission recommended that man's dismissal. He was dismissed, but before the year was out he was reinstated and was sent back to Kentucky and put in charge of the enforcement of prohibition in that State. Nearly every day you see a man named Craven come in as Assistant Secretary of the Senate. You will probably see him to-day messaging bills from the Senate to this body. He was the Civil Service Commissioner who went to Kentucky and brought back the report of the blasphemous language of that man.

I am not asking anybody to accept anything that I say about this bill or about anybody without proof of it. I will substantiate every statement I have made and some that I am going to make by quoting from this bill.

This corporation may not only distribute poisonous whisky, but it may distribute whisky as medicine from no telling how many points in the United States. In New York how many drug stores sell whisky on prescriptions? I do not know; but hundreds and hundreds, no doubt. For every one of them there will be a place in the back room of somebody's grocery, or somebody's soft-drink stand, where this corporation, money mad, may receive money for their stuff. How many will they have in Washington? When I came here and went on the District of Columbia Committee there were 750 saloons in this town. Every year of the eight years I was chairman from 100 to 150 of those saloons went out of business, until finally none was left; but under this bill, if these people are willing—and I say they are so money mad that they are willing, having a monopoly of this business to buy and to sell—they will debauch this Nation as it has not been debauched since war-time prohibition came.

When they buy whisky from anybody, by correspondence or otherwise, under the provisions of this bill they are not to pay for it until it is actually delivered to them. (See p. 20, lines 5, 6.) What does that mean? The upshot of the whole business is that these people with the stock they are going to issue will buy their own whisky from themselves and put it into this business.

Then ultimately, beyond a doubt, all of that stock will go into the hands of bootleggers. They will pay the price and get it. When they buy whisky that is to be delivered after they pay for it the man with the whisky says to the local bootlegger, "At a certain day, at a certain hour, I am going over a certain road from Bardstown to Louisville with several truck loads of whisky. This corporation is only offering me so much money, so many dollars a gallon, and you give me more than that and be out on the road at Drakes Lane, or somewhere around there, and you need not have a loaded pistol, you can have a dummy, but present it to my drivers and they are going to give up the whisky." Then the hi-jackers have it.

That is the diversion of the whisky. The corporation is not going to get it all, the owners are going to sell it to the man that gives them the most money, and they do not care who it is.

To me, and I know that I am right about it, this is the most gigantic effort to turn whisky over to the bootleggers of the country that has ever been done in the bootleggers' palmy days.

Mr. TYDINGS. Who is back of it?

Mr. JOHNSON of Kentucky. I do not know certainly who is back of it. But I think I know. A good woman, a W. C. T. U., said to me, "There are three or four outstanding propositions in the bill that we favor." I said, "Yes, my good woman, you can give the whisky-trust lawyer at Louisville, who wrote it, the Ten Commandments, and tell him to incorporate them in the bill, and he will incorporate every one of them, but between the lines he will write a license to commit every crime in the decalogue." [Laughter and applause.] That is what has been done in this bill.

Just as sure as fate, the time will come when Henry Ford and Rockefeller and Schulte of this corporation will have all the money in the United States. [Laughter.] It is flowing into their coffers just like the waters of the Mississippi River flow into the Gulf of Mexico. This bill will hurt both Henry Ford and Rockefeller, because there are a lot of people who will buy whisky in preference to buying automobiles or gasoline. [Laughter.]

Again, as to the membership of this House. They are efficient and still are underpaid. Take the gentleman from Illinois [Mr. MADDEN], who has his finger on the expenditure of every 5-cent piece of public money. What could he get if there was another corporation in the United States as big as the United States? What could Joe BYRNS get a year for checking up and seeing that Mr. MADDEN is all right? [Laughter.] Take the chairman of the subcommittee which appropriates thirty and odd million dollars for the District of Columbia; if the city was employing him, what would they be willing to pay him to go through all these items, thousands of them, and see that every dollar is honestly spent? And yet some people kicked when the salary was raised to \$10,000. It ought to be more. [Applause.]

Mr. FUNK. Mr. Chairman, I yield 30 minutes to the gentleman from Nebraska [Mr. SIMMONS], a member of the Appropriations Committee.

Mr. SIMMONS. Mr. Chairman, the people of Washington are entitled to know the facts about their school system. The superintendent of schools, Doctor Ballou, commenting upon the failure of the Appropriations Committee to grant the system 74 additional teachers, states:

It should clearly be understood by the citizens of Washington that this saving of \$121,100, brought about as a result of eliminating provision for any new teachers for the school year 1927-28, will mean a reduction in the quality of instruction and the elimination of special types of instructions, which the school system has heretofore been able to provide. If this bill becomes a law without making any provision for new teachers, it means materially increasing the size of classes in elementary, junior and senior high schools; the impossibility of organizing small classes of atypical children who need special instruction, and the assignment to regular class-room instruction of all supplementary teachers now employed in our larger elementary schools, to give children who need it the individual instruction necessary for them to keep up their respective classes.

Let us take that statement and check it with his own figures. The request for 74 teachers is divided—25 for elementary schools, 44 for junior high schools, and 5 for senior high schools.

He charges then, that a refusal to grant these 25 elementary teachers will materially increase the size of classes in elementary schools. He testified that the average increase anticipated in 1927-28 will be 900 in elementary schools (p. 535). There are now 1,482 regular classroom teachers (table, p. 541). Thus the average increase per teacher is six-tenths of one pupil—and the same increase per room, for there are 1,414 elementary

rooms. However, his estimate as to increases is not borne out by his own figures. The table on page 521 shows the average increase during the last five years to be 728—if 1925-26 is included—and 591—if 1925-26 is excluded, although Doctor Ballou testifies (p. 535) that the average increase during the last five years was 891 and the last 10 years 1,021.

The table on page 520, submitted by him, does not bear out his testimony, and frankly I have been unable to find any figures that do. He asks for 25 extra elementary school-teachers. Of those but 15 were regular class-room teachers. The other 10 are for manual training and domestic art (p. 535). Add 900 to the total enrollment and 15 to the regular class-room teachers and you will have 53,500 enrolled and 1,497 teachers (see table, p. 545), and the number of pupils per classroom teacher will be 35.8 instead of 35.5, as at present. Or assume the whole 900 actually register and actually attend every day—which they will not—the average daily attendance in elementary schools will be 41,114 and an average per teacher of 27.5 as against 27 per teacher this year.

He charges that it will be impossible to organize "small classes of atypical children who need special instruction." Now, on what basis is that statement made?

No increase was asked in the teaching force for that purpose. These 25 teachers were to be for regular classes, manual training, and domestic art. He now has 52 teachers in this class of work. No increase or decrease has been asked for or made in that service.

He charges that this action means "the assignment to regular classroom instruction of all supplementary teachers now employed in our larger elementary schools." There are now 61 supplementary elementary teachers on the pay roll. A refusal of 25 means, according to his statement, the removal of these 61 from their present assignments. But Doctor Ballou asked for no supplementary teachers; no increase or decrease is made in that service.

He asked for 15 regular teachers to add to his present list of 1,482, and for 10 special teachers to add to his present list of 220. When the five-year building program is completed there will be 1,434 regular classrooms in the elementary schools. We are now appropriating for 1,482 regular classroom teachers, or there are 48 more regular classroom teachers now on the pay roll than there will be regular classrooms when the five-year building program is completed. The bill last year carried 20 additional elementary teachers. At the present time there are 36 more teachers than classrooms (p. 567). The refusal to appropriate for the 49 junior and senior high-school positions can in no wise affect the regular elementary school classes, atypical schools, or special classes.

He asks 44 teachers for the junior high school. If he does not get them, he must "materially increase" the classes. Why should not the truth be told about that? Those teachers have not been asked for as a general addition to the teaching force but for special locations in specified buildings. Of those 44 teachers, 12 are for the Garnet-Patterson and 11 for Gordon (Georgetown) Junior High Schools (p. 536). The plans for the Garnet-Patterson School are but 80 per cent complete and those for Gordon but 10 per cent complete. The plans not done, the contracts not let, not one bit of actual work done on the schools, no one knows when the buildings will be completed, and yet he demands teachers; and if we do not give him the 23 teachers to put in his blue-print schoolhouses, he will be compelled to "reduce the quality of instruction" in the schools.

Of the remaining 21 teachers asked for in the junior high schools, 4 are for the Hine School, 7 for the Francis School, 3 for the Randall School, and 7 for the Stuart (p. 536). Now, what are the facts about the Francis, Randall, and Stuart Schools. They are just being completed and, of course, teachers must be provided. But Congress has already provided for those schools. There are now 2,620 teachers employed. We have appropriated for 2,656. Thirty-six teachers are now not being used which Doctor Ballou testified would be used in organizing these three junior high schools (p. 567), and Congress gave him those teachers for that purpose. If you will turn to page 693 of the hearings on this bill last year (1926) you will find that Doctor Ballou asked for, and received, 52 additional junior high teachers, giving as his justification therefor the opening of the Stuart, Francis, Randall, and MacFarland Schools and the need for teachers. He further explained that seventh grade and eighth grade teaching positions would be converted into junior high positions. We appropriated a year ago for the three junior high school teaching force. We gave every teacher a year ago that was asked for to fully man those three schools. These 17 teachers asked this year are to supplement an already complete staff in those three schools.

We now have on the junior high-school staff 273 teachers. The average per classroom teacher is but 21.1, based on the actual number belonging and but 20 based on the average daily attendance. The estimated increase for junior high school attendance this year is 900. No tables were given to justify that estimate, but for the purpose of this statement I accept it. Add 900 to the total average attendance as shown (p. 545) and you will have a maximum enrollment of 6,412. Leaving the teachers force at 273 and the average per classroom teacher based on total enrollment will be 23.5. But adding the 900 to 5,259 (the average daily attendance in the junior high schools) and you will have 6,159 or 22.6 pupils per classroom teacher. The present high-school average is 22. These figures justify our belief that the junior high schools are amply provided with teachers.

But disregard the fact that last year we appropriated for every teacher needed in the three new junior high schools and that we are appropriating for them again this year. The table shown on page 536, submitted by Doctor Ballou, shows that he now has available and we are appropriating for 25 teachers which have been allocated to the Garnet-Patterson and Gordon schools. He can not use them at those schools, for, as I have shown, those schools are but partly prepared blue prints. He asks for 21 junior high teachers in addition to those asked for the two schools not yet built. He can use 21 of the 25 teachers allocated to Garnet-Patterson and Gordon, for whom he has no use, and have 4 left unallocated. We are then actually giving the teacher-salary appropriation money for four junior high-school teachers in excess of Doctor Ballou's request for junior high schools which are or will be in operation. He asks for 48 teachers for schools the plans of which are not drawn.

Now, in the senior high schools he asks for five new teachers, none of whom are to be used in new schoolhouses (p. 567). Doctor Ballou testified (p. 536) that in the last five years the average increase in senior high schools was 852 pupils. The table on page 521 shows it to be 732, or 120 less than his figures. He explains this by saying that he did not have 1925-26 available in May last, when the estimate was made up, but in the last three years the average increase has been but 386 and last year was but 201. So why figure an increase of 800 in the high school, as he does (p. 536)? But much of that will be absorbed in the junior high schools (p. 536). Suppose the high school increases twice what it did last year, or 400. You would then have an actual enrollment of 11,393 and an average per teacher of 22.8, as against 22 now. If we gave him those five teachers the average number per classroom teacher would be reduced from 22.8 to 22.6. Based on average daily attendance and with the estimated 400 increase of pupils, the average per teacher would be 21.6 without the increase and 21.4 with the increase. Eighteen senior high-school teachers were given last year additional.

These tabulations are based on an estimated total increase of 2,200 in the schools, whereas the 1925-26 increase was but 1,606, and an actual increase of December 4, 1926, over December 3, 1925, of 982 (p. 542).

This morning's paper carries a news item that the school enrollment as of January 31, 1927, is 70,325, and states that it is a "new high record." Doctor Ballou testified (p. 541) that the enrollment December 3, 1926, was 70,553, showing a loss of 228, although Doctor Ballou testified (p. 552) that the enrollment will increase. But to show how misleading figures may be, on page 520 is a table showing the whole enrollment of the schools 1925-26 to be 74,903, while the average daily attendance was but 61,778 in 1925-26. On pages 544-545 are tables showing the "whole" enrollment as of November 1, 1926, to be 70,735, the "actual" enrollment 70,473, and the average daily attendance to be 56,891. This is a loss in average attendance of 4,888. It also shows fewer pupils in average attendance in the entire system November 1, 1926, than they claim to have enrolled in the elementary schools alone. This morning's statement shows 57,529 enrolled, against average attendance of 56,891.

These figures are submitted for the consideration of the Congress. All of us are interested directly as Members, many are interested as parents with children in the schools, many more as taxpayers. The figures are the schools' own figures and show how absurd Doctor Ballou's statement is, and also show that the schools are amply provided with teachers.

Mr. KETCHAM. Mr. Chairman, will the gentleman yield there?

Mr. SIMMONS. Yes.

Mr. KETCHAM. With reference to these teachers, are those teachers in the elementary schools or in the high schools?

Mr. SIMMONS. I am referring now to the teachers in the elementary schools.

Mr. KETCHAM. It might readily be understood that that might easily happen in connection with high schools by the number who had determined to take up a particular subject.

Does not the geographical element enter into that to a great extent? For instance, take the illustrations which the gentleman has just given. Of course, no reasonable man would ask a teacher to care for 52 or 55 pupils in one room.

Mr. SIMMONS. There is no justification for it on the average if the District had been properly districted.

Mr. KETCHAM. The trouble is, as the gentleman will readily understand, that you can not foresee developments in any particular section, and possibly within a year's time a sudden grouping in one section taxes the school facilities there and you can not immediately meet that situation.

Mr. SIMMONS. I agree with the gentleman on that and that is true. We have had a shifting here due largely to the color situation, of certain schools which have had to be changed from colored schools to white schools and from white schools to colored schools.

Mr. KETCHAM. Eliminating those rather exceptional illustrations, what is the general situation?

Mr. SIMMONS. In the schools as a whole?

Mr. KETCHAM. Yes; as to the elementary schools.

Mr. SIMMONS. We now have 36 more teachers appropriated for in this bill than there are classrooms in which they can teach. On the average of the total enrollment—and when they give us the total enrollment they do not deduct anything for the shifting of any large numbers—we are providing in this bill one teacher for every 35½ pupils enrolled in the District schools, and on the basis of the average daily attendance we are appropriating in this bill one teacher for every 27 pupils in the District schools. That is, in all the regular classroom schools that does not include those teachers who teach music, manual training, and the domestic arts, the itinerant teacher who goes from school to school.

Mr. KETCHAM. They are taken out of the average?

Mr. SIMMONS. Yes. There are 229 more of those in the grade schools. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back three minutes.

Mr. GRIFFIN. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman and fellow members of the committee, the school question takes up 144 pages of the hearings on this bill. We went back and forth, up and down, and in and out trying to get facts.

Now, the unfortunate thing about the hearing was this—and I am saying this in all kindness to my colleagues, with whom I have maintained the very kindest and most cordial relations, and what I am saying is absolutely impersonal—but it is a fact that they were largely influenced in deciding the teacher problem by figures, data, and opinions which they did not derive wholly or directly from the school authorities.

The Board of Education asked for and were allowed by the Budget 74 additional teachers, and they showed to my mind conclusively that they were entitled to those teachers and that they could use them advantageously.

What are the elements or factors entering into the determination of the question as to the number of teachers required? First of all comes the enrollment. Now, on the matter of enrollment the committee got itself all tied up as to the distinction between the whole enrollment, the actual enrollment, and the average attendance. What is the significance of those terms? The whole enrollment means the entire enrollment for the year; the actual enrollment means the number of pupils on the rolls of a class at a given time, while the average attendance means the average attendance on every day in the week added up and divided by five.

Now, let us see what we have in the hearings about the actual enrollment. On November 1, 1926, the actual enrollment was 70,473. I have indicated on Chart I the page of the hearings where the figures may be obtained:

CHART I—Enrollment, actual enrollment, and average attendance

The actual enrollment of pupils on—	
Nov. 1, 1926, was (p. 545).....	70,473
Dec. 3, 1926, was (p. 541).....	70,553
Dec. 4, 1925, was (p. 54).....	69,571
Or an increase of 982.	

Now, the problem is: Which figure shall we take as the factor in determining the number of teachers that are necessary? I am sorry to say that my colleagues strove to obtain a rule of thumb by using the total enrollment as a dividend and dividing into it, as the divisor, the whole number of teachers. I claim that the proper dividend in determining the number of teachers required is the actual enrollment; that is, the number of pupils the school authorities are obliged to accommodate in

comfort—not the “whole enrollment” and, least of all, the “average attendance.”

If you fix upon the average attendance then there will be days in the week when there is a full attendance in the classrooms and then you will have no space and no suitable accommodations or comfort for either the teacher or the pupils. Manifestly the only fair and the only just and proper dividend to use in determining this factor is the actual enrollment, the number of pupils who are likely to be in school at the peak of attendance.

The “average attendance” is a poor yardstick. If you were to provide seats in the school, for instance, on that basis, there would necessarily be times when some of the children would be without accommodation.

Therefore I have used the “actual enrollment” as the proper dividend or basis for determining the average number of pupils per teacher. There was, and still is, much confusion of thought and of figures on that subject.

The committee had before it two very amiable ladies purporting to represent the Parent-Teachers' Association. They received very courteous attention, as was their due. I yield nothing to my colleagues in the matter of politeness; but I thought, and still think, my colleagues surpassed themselves in courtesy by taking too much stock in the figures of outsiders, no matter how interested they may be in the schools, from the standpoint of parents, and in putting them up against the figures of the constituted school authorities of the District.

Mrs. Bannerman the spokesman had a method of figuring out the number of pupils per teacher in the District schools. There are two gross fatal errors in her calculation as I have indicated on this chart. Mrs. Bannerman took as her dividend 61,778.5, the “average attendance,” instead of the “actual enrollment” of 70,553 in the schools as of December, 1926. Then she divides into that sum 2,640 as her divisor, representing the total number of teachers in the system, showing she was utterly oblivious of the distinction between class teachers and special or itinerant teachers, such as music and domestic science teachers, who travel about from class to class, to the number of 351, who must, in all fairness, be deducted from the total of 2,629 teachers now on the pay roll.

CHART II

[P. 541 of hearing]

The grand total of teachers in the system as of Nov. 1, 1926, was (excluding 51 teaching principals) 2,629

This includes:

Librarians.....	10
Special teachers of music, domestic science, drawing, etc.....	228
Health teachers, etc.....	52
Supplementary teachers.....	61
Coaching research, substitute, etc.....	61

A total of 351 which can not be taken into account in determining the proportion of teachers to the actual enrollment. Therefore, deduct 351

The actual classroom teachers are 2,278

Let us now go back to the actual enrollment on December 5, 1926. We find it to be 70,553. Dividing that by 2,278 we derive 31 (nearly) as the average number of pupils in the classroom of each regular teacher.

Mr. SIMMONS. Will the gentleman yield?

Mr. GRIFFIN. I can not yield now; pardon me.

I will put in the deadly parallel column form the two methods of calculation.

CHART III

Mrs. Bannerman's method	The correct method
23.4	30.97
2640)61778.5	2278)70553.00
5280	6834
8978	22130
7920	20502
10585	16280
10560	15946
25	

You will see that by Mrs. Bannerman's method the number of pupils per teacher is 23.4, while by the correct method (dividing into the actual enrollment the actual number of class teachers) we find that the average number of pupils for each teacher in the public-school system of the District is 30.97; in other words, nearly 31 pupils.

This is interesting in view of a statement that Mrs. Bannerman made before the committee. She said in her statement that if the average number of pupils per teacher in the District

of Columbia, 25.1 at present, were 30.55, the general average for cities of over 1,000,000 in 1924, 20,040½ more pupils could receive instruction with no more teachers.

Yet when we analyze the figures we find that the average of pupils per teacher in the District of Columbia exceeds the general average throughout the entire United States in 65 cities.

OVERCROWDING IN DISTRICT SCHOOLS

If there were any doubt about it, the overcrowding in the District schools should confirm the board of education figures rather than the wild estimates of outsiders. I have summarized the figures contained in the hearings in the following chart:

CHART IV

School	Class-rooms	Pupils per room	Number of schools	Number of class-rooms
WHITE SCHOOLS HAVING MORE THAN 40 PUPILS PER ROOM				
Division I:				
Brown.....	19	50		
Curtis Hyde.....	17	42.2		
Eaton.....	17	52.7		
Fillmore.....	8	45.3		
Total schools.....			4	
Total classrooms.....				61
Division III:				
Barnard.....	8	41.3		
Johnson-Bancroft.....	17	46.1		
Hubbard-Raymond.....	16	40		
Takoma.....	18	42.8		
Truesdale.....	16	41.2		
West.....	16	43.3		
Total schools.....			6	
Total classrooms.....				91
Division IV:				
Henry Polk.....	16	41.8	1	16
Division V:				
Brookland, Bunker Hill.....	16	48.9		
Burroughs.....	9	34.6		
Langdon-Woodridge.....	15	40.4		
Park View.....	21	47.9		
Total schools.....			4	
Total classrooms.....				61
Division VI:				
Blair-Hayes.....	19	42.2		
Edmund Maury.....	16	47.9		
Ludlow-Taylor.....	16	40.1		
Total schools.....			3	
Total classrooms.....				61
Division VII:				
Bryan.....	14	47.3		
Buchanan.....	16	46.0		
Congress Heights.....	14	41.5		
Cranch-Tyler.....	16	43.5		
Total schools.....			4	
Total classrooms.....				60
Total.....			22	340
COLORED SCHOOLS HAVING MORE THAN 40 PUPILS PER ROOM				
Division X:				
Briggs.....	8	52.1		
Bruce.....	13	50.5		
Cleveland.....	12	53.8		
Garrison.....	16	40.6		
Montgomery.....	8	45.6		
Phillips.....	8	52.1		
Stevens.....	18	47.1		
Summer-Magruder.....	18	41.4		
Wilson.....	11	47.2		
Wormley.....	8	41.8		
Total schools.....			10	
Total classrooms.....				110
Division XI:				
Cook.....	16	44.0		
Garnet-Patterson.....	23	50.3		
Mott.....	25	48.3		
Slater-Langston.....	16	41.1		
Total schools.....			4	
Total classrooms.....				80
Division XIII:				
Ambush.....	8	43.8		
Banneker-Jones.....	16	44.3		
New Bell.....	16	40.3		
Burryville.....	14	47.9		
Cardozo (Old Bell).....	16	44.6		
Crummell.....	6	44.8		
Deanwood.....	13	45.0		
Douglas-Turning.....	16	44.5		
Giddings-Lincoln.....	20	51.2		
Logan.....	8	57.5		
Lovejoy.....	20	41.9		
Payne.....	8	43.2		
Syphax.....	10	46.1		
Total schools.....			13	
Total classrooms.....				171
Total.....			27	361
Recapitulation.....			49	701

To sum up, there are 22 white schools overcrowded and 27 colored schools overcrowded, making a total of 49 schools in the District, embracing 701 classes, which need a subdivision of classes and additional teachers.

Mr. FLETCHER. How much in excess of the proper number are they overcrowded?

Mr. GRIFFIN. They run up to 51, 52, and 53. The Logan School—colored—runs up to 57.5.

Mr. TABER. Are all these classes overcrowded?

Mr. GRIFFIN. This is the average for these schools; in other words, there are so many classes overcrowded in each school that the average ranges from 40 and a fraction up to 57. You will find the precise details in the hearings from pages 545 to 547.

In the colored section we have in Division X, 10 schools containing 110 classes overcrowded. In the XI division, 4 schools containing 80 classes, and in the XIII division, 13 schools containing 191 classes that are overcrowded.

Mr. FLETCHER. By overcrowded do you mean they have not any place to sit while they take a class lesson?

Mr. GRIFFIN. It means they have more than 40 pupils per class, and in many cases the classes have to be divided. That is responsible for the "part-time class problem." I am glad the gentleman called my attention to that point.

Mr. ROBSION of Kentucky. What is the total number of schools and the total number of classes?

Mr. GRIFFIN. The grand total is 49 elementary schools and 701 is the total number of overcrowded classes.

Mr. ROBSION of Kentucky. No; I mean what is the total number of schools in the District and the total number of all classes?

Mr. GRIFFIN. I never took the time to summarize that, but I will put it in the RECORD. [The answer to that is that there appears to be 139 elementary and 21 normal, senior, and junior high schools—total, 160. Practically one-third are in congested districts and are overcrowded.]

Doctor Ballou, the head of the Board of Education, testified that when a class reached over 50, so as to render it inconvenient for the teacher to handle the pupils, he would divide the class into two part-time classes.

PART-TIME CLASSES

There are 130 part-time classes to which the children of this District are going. (See p. 577, hearings.) I think a resident of the District of Columbia is entitled to have his children taught a full day every day of the school week.

Now, where are these 74 additional teachers asked for going? Some of them are going to the part-time classes, and here we have 701 classes that sooner or later will have to be divided.

Mr. ACKERMAN. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. ACKERMAN. How many classes are there altogether in the city of Washington?

Mr. GRIFFIN. I could not tell the gentleman that. The gentleman will find that summarized in the record on page 545 of the hearings.

Mr. ACKERMAN. What proportion of the whole do these classes represent that are overcrowded?

Mr. GRIFFIN. Seven hundred and one classes are overcrowded.

Mr. ACKERMAN. But the gentleman can not state what proportion that represents to the total?

Mr. GRIFFIN. I could not tell the gentleman that off hand. The summary of the schools, giving full details, is to be found on pages 545 to 548 of the hearings. As I have said in my answer to the gentleman from Kentucky [Mr. ROBSION] there are 49 out of a total of 150 schools in the District which are overcrowded, and I presume the number of overcrowded classrooms would be in about the same ratio; that is, one-third.

CHART V

New schools and classrooms to be ready in this and the next fiscal year
[See pp. 535 and 536, hearings]

School	Date of completion	New teachers needed
Burroughs.....	Aug. 1, 1927	9
Amidon.....	Jan. 1, 1928	0
Smothers.....	Aug. 1, 1927	2
Woodbridge.....	do	4
Hine Addition.....	1 Apr. 1, 1927	4
Garnet-Patterson.....	Jan. 15, 1928	12
Gordon.....	do	11
Francis.....	1 Jan. 1, 1927	17
Randall (replacement).....	do	3
Stuart.....	1 Feb. 1, 1927	7
Teachers needed.....		69

¹ To be opened in the current fiscal year.

It may be objected that some of these schools will not be ready until the next fiscal year—but it is the next fiscal year that we are providing for.

Furthermore, the estimates of the school board do not provide for full pay for the new teachers asked for.

Now here is where these pupils are going. Here is a chart showing the new schools to be ready in this and in the next fiscal year. I have put on the diagram the name of the schools, the date of completion, and the number of teachers required. You will see here the Burroughs school, to be completed in 1927, requires 9 teachers. The Amidon, to be completed in 1928, no teachers. The Smothers, to be completed in 1927, 2 teachers. The Woodbridge, to be completed in 1927, 4 teachers. The Hine addition, to be completed in 1927, 4 teachers. The Garnet-Patterson, to be completed in 1928, 12 teachers. The Gordon, to be completed in 1928, 11 teachers. The Francis, to be completed in 1927, 17 teachers. The Randall, to be completed in 1927, 2 teachers. The Stuart, to be completed in 1927, 7 teachers.

Of those in the list we have 2 that will be completed the current fiscal year; 5 of the others in the next fiscal year. Remember, gentlemen, we are appropriating in this bill for the next fiscal year, and remember further that the Commissioner of Education is not asking for full salaries for the teachers for the schools that are to be completed. He is only asking for the salaries of those teachers from the time they are appointed.

Mr. SIMMONS. Will the gentleman yield right there?

Mr. GRIFFIN. Yes.

Mr. SIMMONS. The record shows that he is asking for the full salaries beginning in 1927 and the Garnet-Patterson and the Gordon are not contracted for.

Mr. GRIFFIN. The gentleman is mistaken. Doctor Ballou says that he is making no demands for the entire number of teachers for the fiscal year 1928.

The CHAIRMAN. The gentleman from New York has used 20 minutes.

Mr. GRIFFIN. Mr. Chairman, I yield to myself five minutes more.

Mr. SIMMONS. Now, will the gentleman yield again?

Mr. GRIFFIN. Yes.

Mr. SIMMONS. If the gentleman will look at page 536 of the hearings he will find a table where they ask for 23 teachers as a part of the 74 teachers, and the appropriation calls for full salaries for the 23 teachers.

Mr. GRIFFIN. The gentleman is absolutely mistaken. In the first place, the table on page 536 shows a demand for 25 teachers for the 2-A classes and 19 for the 2-C classes. If you will read the notes at the foot of that table you will find the following:

1. Seven 2-C salaries needed for ninth grade increase in September, 1927, and February, 1928.
2. Three 2-C salaries needed for ninth grade increase in September, 1927, and February, 1928.
3. Seven 2-C salaries needed for ninth grade increase in September, 1927, and February, 1928.

And in answer to a question Doctor Ballou stated (page 604 of the hearings):

Doctor BALLOU. I would like to add one further point about this present budget that is before you. In that budget a deduction has been made for every teacher whose salary begins February 1, 1928, which was not done in the budget for 1927. We have a balance this year of \$32,600; at least, we anticipate having a balance this year, among other reasons, because of these 30 or more teachers whom we will appoint on the 1st of February. That has been taken into account for the budget for 1928, and the budget has been reduced to a minimum on the basis of the proposed opening of classes in February and the beginning of teachers' salaries then rather than in September.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. GRIFFIN. I will.

Mr. OLIVER of Alabama. Even if you err on the side of affording more teachers than some think would be required at the beginning of 1928, they would not be employed until their services were required.

Mr. GRIFFIN. Absolutely not. Doctor Ballou assured the committee as to that unequivocally (p. 606, hearings).

Mr. OLIVER of Alabama. Do the hearings disclose in past years where there has been an authorization of teachers in contemplation of buildings to be built that there has been any abuse of that by the authorities; and does it show that they were employed before they were actually needed?

Mr. GRIFFIN. The best proof of that is that they have not appointed the 36 teachers that they are now entitled to appoint. Doctor Ballou was hammered and hectoring by my

colleagues on the subject as though it were a crime not to have spent the public's money.

Mr. SIMMONS. The taxpayers of the District have paid the taxes; the taxpayers have paid for that service.

Mr. GRIFFIN. Does the gentleman think that they ought to have appointed the teachers whether they were employed or not?

Mr. SIMMONS. I do not think we ought to tax the people for teachers that we do not need, and he is asking for a number of teachers that we could not possibly use during the year.

Mr. GRIFFIN. The public may be taxed on the basis of the appropriations for the coming year, if that is what the gentleman means, but if the appropriation is not used it lapses, and the taxpayer gets the benefit of it in the next year's estimates.

Mr. ROMJUE. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. ROMJUE. The gentleman from Nebraska called attention to the fact that there were nine rooms in one school that are now empty, and in an adjacent district the rooms were overcrowded. Could not that be remedied by the school board under existing law?

Mr. GRIFFIN. It could be; but if you look at Doctor Ballou's testimony you will find that he says that it is difficult to transfer children bodily from one school to another. The parents of the children rise up in protest. The children object to taking the longer walk over bad roads. Now, as to this Brightwood School that the gentleman speaks of, that is a new school building in a new section, and it was planned and built not only for the present but for next year and for many years to come. It is no crime to have vacant rooms in that school. It is an inevitable incident connected with a building program designed to meet the growth of population in new sections.

Mr. ROMJUE. I should think that in an emergency the parents would prefer to have their children go to an adjacent school, even if they had to walk farther rather than have them in an overcrowded room.

Mr. GRIFFIN. The best answer to that is that they do not yield to that argument. The Parent-Teachers' Association plays a very important part in the management of such things. They go in and harry the principal and then harry the members of the Board of Education and dictate plans and policies. If a man had a free leg to do these things arbitrarily, he could perhaps do them; but the trouble is that the shifting of scholars from one school to another is one of the most ticklish of problems.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. GRIFFIN. Mr. Chairman, I now yield to the gentleman from Missouri [Mr. LOZIER].

Mr. LOZIER. Mr. Chairman, the death of ex-Empress Carlotta recalls the stirring incidents in the history of Mexico between January 6, 1862, when English, Spanish, and French troops landed at Vera Cruz, and June 19, 1867, when on the Hill of Bells, in the outskirts of Queretaro, Mexico, Emperor Maximilian and his two generals, Miramon and Mejia, with their backs to a stone wall, faced a firing squad and, meeting death in this manner, ended once and forever the ambition and efforts of European nations to establish monarchies and empires in the Western Hemisphere.

Sometimes a submerged collection of driftwood diverts a river from the bed in which it has flowed for centuries, and not infrequently a seemingly unimportant incident turns the stream of destiny out of its channel and changes the course of human history. The position of Maximilian was at all times precarious, but his doom was sealed when in the summer of 1865 he declined to avail himself of the services of Gen. Joe Shelby and his company of 1,000 intrepid, courageous, seasoned Confederate soldiers from Missouri. The story of Shelby's expedition to Mexico reads like a romance. It was as bold and famous as the historic expedition of another Missourian, General Doniphan and his company of 1,000 Missourians, from Leavenworth, Kans., to Santa Fe, El Paso, Chihuahua, and Saltillo, Mexico, in 1846-47; as romantic as the retreat of the 10,000 Greek mercenaries from Cunaxa, on the Euphrates, to the Euxine Sea, which was immortalized by the Greek historian Xenophon in *The Anabasis*. Let me briefly relate this fascinating story, the details of which are so graphically delineated by John N. Edwards, the historian of the expedition.

Gen. Joseph O. Shelby was one of the boldest and most chivalric soldiers that ever carried a saber or led an army to battle. When the Civil War broke on our Nation, Joseph O. Shelby, then 30 years old, was a successful manufacturer of bale rope in Waverly, Lafayette County, Mo. He espoused the cause of the South and throughout the greatest internecine conflict

recorded in history he followed the flag of the Confederacy. Well educated, he had fire, energy, dash, dauntless courage, and a magnetic personality that won and held the affection and loyalty of his soldiers. Like Marshal Ney, the bravest of the brave, he was ever in the thickest of the battle; a crusader like Chevalier Bayard, without fear and without reproach. Of him it could truthfully be said, as was said by Sir Ector de Maris, sorrowing over the dead body of his brother, Sir Launcelot:

And thou wert the courtest knight that ever bare shield
And thou wert the truest friend that ever bestrad horse.

Shelby's division, largely composed of Missouri young men, was the flower of the trans-Mississippi army of the Confederacy, and his soldiers followed him with a love, devotion, and loyalty unsurpassed in the military records of the world.

In the last days of the Civil War General Shelby's division was a part of the trans-Mississippi Confederate army commanded by Gen. E. Kirby Smith, the last of the Confederate armies to surrender. General Smith's headquarters were at Shreveport, La. General Shelby's division was encamped at Fulton, Ark. When the news of General Lee's surrender at Appomattox reached General Smith's army a council of war was held at Marshall, Tex. General Smith, realizing that further hostilities were useless, favored a surrender. General Shelby opposed the surrender. He advised that the different divisions of the trans-Mississippi army concentrate on the Brazos River for further resistance or an expedition into Mexico, with the option to fight to reinstate Juarez or espouse the cause of Maximilian. This bold proposal made by this brown-bearded, fair-haired fighter had a magnetic effect. Shelby proposed that Gen. Simon B. Buckner should lead the expedition. To the daring and impetuous Shelby was assigned the embarrassing task of communicating the decision of the council to General Smith. This interview was brief and to the point:

"The army has lost confidence in you, General Smith."

"I know it," said General Smith.

General Shelby continued:

"The army does not wish to surrender." To which General Smith replied:

"Nor do I. What would the army have?"

"Your withdrawal," said General Shelby, "as its direct commander, the appointment of General Buckner as its chief, its concentration upon the Brazos River, and war to the knife, General Smith."

Pained and astonished, General Smith said: "What do you advise, General Shelby?"

"Instant acquiescence," said General Shelby.

Thereupon General Smith wrote an order turning over the command of the army to General Buckner.

But General Buckner became faint-hearted. After returning to Shreveport, General Smith experienced a change of heart, ignored his resignation, resumed command of the army, and entered into negotiations with General Pope, which resulted in the surrender of the trans-Mississippi Confederate army. But when these negotiations were consummated, practically all of General Smith's army had been dissolved, nearly all of his troops having disbanded and gone home. In General Smith's letter of May 30, 1865, he refers to "Shelby's heroic division of Missouri cavalry" as having maintained its organization intact.

Bitterly disappointed that he could not take an army of 50,000 seasoned Confederate soldiers into Mexico, Shelby appealed to his own troops for volunteers for the Mexican adventure. "One thousand bronzed soldiers rode fair to the front, over them the old barred banner, worn now, and torn, and well-nigh abandoned. Two and two they ranged themselves behind their leader, waiting." With his thousand soldiers marching behind him, Shelby turned his face toward the Rio Grande and the region of the Montezumas. With him rode a few war-seasoned officers—Elliott, Gordon, Slayback, Williams, Collins, Langhorne, Crisp, Mirick, Jackman, and Blackwell. Through Corsicana, Waco, Austin, San Antonio, over a dreary waste of mesquite and chaparral, this Confederate cavalcade that had never surrendered moved on to Eagle Pass. The Rio Grande River marks the boundary between the United States and Mexico, but its onrushing waters did not deter these soldiers of fortune. Pausing in the middle of the stream, the old tattered battle flag which had been carried at the head of Shelby's heroic division through the struggle and sorrow of 200 desperate battle fields, was brought from its resting place and given once more to the winds. "With bare, bowed heads, Shelby's soldiers gathered around the dear old banner." For a few brief moments it was held above the rushing tide and then solemnly the battle flag of Shelby's

division was lowered beneath the turbid waters of the fast-flowing river.

This incident was commemorated by Col. A. W. Slayback in a beautiful poem entitled "The Burial of Shelby's Flag." Having crossed the Rio Grande, Shelby and his men entered Piedras Negras, a Mexican city, on the early morning of July 4, 1865, from which place the march to the City of Mexico began. On to Monterey, through an almost impassable wilderness, over desert and mountains; through Saltillo, camping on the battle field of Buena Vista, then on to Parras; then through Matehuala, Dolores, Queretaro, to the capital of the Aztecs and the bloody scenes of Cortez and his brutal band of conquistadors. This journey was made through an inhospitable region, over desert and mountains, and Shelby and his men were beset on every hand by hostile forces of Mexican bandits and guerrillas. Successful in every encounter, magnanimous in every victory, rigidly observing the rules of war, respecting the rights and property of the people of the regions through which they passed, these soldiers of fortune tendered their swords and their services to Emperor Maximilian.

The history of the efforts of Austrian Archduke Ferdinand to establish an empire in Mexico reads like a romance. While the people of the United States were engaged in the great Civil War, England, France, and Spain on January 6, 1862, landed troops at Vera Cruz, Mexico, for the alleged purpose of compelling Mexico to discharge its financial obligations. At this time Benito Juarez was the nominal President of Mexico. For a season foreign troops occupied Vera Cruz, and then started into the interior toward the City of Mexico. A protest from Secretary Seward influenced England and Spain to recall their troops, but the French Army proceeded to the Mexican capital, and from which President Juarez retired. The French established a de facto government, military in character. The ragged army of Juarez was defeated and driven from place to place. In a short time the French had control of all the important cities in Mexico. A provisional government was formed and an "Assembly of Notables" was chosen and intrusted with the duty of providing a plan for a permanent government. On July 10, 1863, this plan was adopted and under its provisions a monarchy was created, the sovereign to take the title of the Emperor of Mexico, and the imperial crown was offered to Prince Ferdinand Maximilian.

On a previous occasion, during the revolution of 1861, Maximilian had been offered the throne of Mexico but declined it. When this second offer came in 1863 Maximilian still hesitated and sent a letter to President Juarez requesting a meeting to discuss the affairs of Mexico in an amicable manner. President Juarez answered that he could not consent to any meeting with Maximilian. And so it was that this kind-hearted scion of the royal house of Hapsburg hesitated and delayed until April, 1864, when he left his beautiful home by the blue Mediterranean and sailed away from Trieste to Mexico to begin a reign which fate had decreed would never be happy and could not continue long. With him went beautiful Empress Carlotta, who was largely responsible for the intrigue which resulted in Maximilian being seated on the unstable and ill-fated throne of Mexico. She was a descendant of Henry IV of France, the hero of Ivry, "a ruler next in goodness and greatness to Louis IX." She was a granddaughter of Louis Philippe, King of France. In the language of Edwards:

Empress Carlotta was a woman who had been twice crowned—once with a crown of gold, earthly and perishable, and once with a crown of beauty as radiant as the morning.

The reception of Maximilian and Carlotta in Mexico was joyous and enthusiastic, and in the capital of the Montezumas, with pomp and pageantry, they were invested with crown and scepter, indicative of imperial power. Idealistic, visionary, and unacquainted with the long-oppressed and turbulent people, over whom he was called to rule, Maximilian, intending to rule wisely, justly, and benevolently, little realized what he most needed for the regeneration of Mexico was not a paper constitution, not a magnificently maintained court, not the glitter and tinsel of imperial splendor and pageantry, but a seasoned army of 100,000 soldiers. Though Maximilian was Emperor in name, Marshal Bazaine, a military autocrat in charge of the imperial army, composed largely of French soldiers, was Emperor in reality.

Marshal Bazaine was a soldier who had seen service in Algeria, in the Crimea, in Italy—especially at Magenta—and he had won the baton at last in Mexico, that baton that the first Napoleon declared might be in the knapsack of every soldier. He was ambitious, brave to utter recklessness; crafty, yet outspoken and frank; a savage aristocrat, who had married a fair-faced Spaniard and a million; merciless in discipline, beloved of his troops, adored by his military family; a gambler who had been known to win a thousand ounces on a single card;

a speculator and the owner of ships; a husband whom even the French called true; a father and a judge, who after he had caressed his infant voted death at the court-martial so often that one officer began to say to another, "He shoots them all."

But he was a skillful soldier, and he drove Juarez from place to place, at times across the Rio Grande into Texas, keeping the ragged and starving Liberal army constantly on the move, giving rise to the saying that—

Patriot Juarez kept the capital of Mexico on wheels and moved it with him when driven from city to city.

This Bazaine, who spilled so much blood in Mexico, was the same Marshal Bazaine who in the Franco-Prussian War on October 27, 1870, as commander of the French armies, surrendered the French fortress of Metz and his army of 180,000 men. When General Shelby arrived in the city of Mexico the French held all the country that was worth holding and Maximilian had been reigning for over a year. The Empress Carlotta, an angel of mercy in those days of blood, pestilence, and famine, carried her ministrations into almost every region held by the imperial forces, thereby winning the confidence, gratitude, and affection of the common people, whose distress she had relieved and whose bitter load she had made more bearable. Maximilian, impulsive, humane, and gentle, sought to administer the affairs of his tottering empire in a benevolent and magnanimous manner, notwithstanding the firing squads of Marshal Bazaine were every busy with their bloody butcheries.

General Shelby quickly comprehended the situation. Through Commodore Maury and General Magruder he secured an interview with Maximilian, who—

met him without ceremony and with great sincerity and frankness. Marshal Bazaine was present. Count de Noue, the son-in-law of General Harney and the chief of Bazaine's civil staff, was the interpreter.

John N. Edwards in his history of Shelby's Expedition to Mexico, an Unwritten Leaf of the War, describes the interview between Maximilian and General Shelby as follows:

Shelby laid his plans before him at once. These were to take immediate service in his Empire, recruit a corps of 40,000 Americans, supersede, as far as possible, the native troops in his army, consolidate the Government against the time of the withdrawal of the French soldiers, encourage emigration in every possible manner, develop the resources of the country, and hold it, until the people became reconciled to the change, with a strong and well-organized army.

Every proposition was faithfully rendered to the Emperor, who merely bowed and inclined his head forward as if he would hear more.

Shelby continued, in his straightforward, soldierly manner:

"It is only a question of time, Your Majesty, before the French soldiers are withdrawn."

Marshal Bazaine smiled a little sarcastically, it seemed, but said nothing.

"Why do you think so?" inquired the emperor.

"Because the War between the States is at an end, and Mr. Seward will insist on the rigorous enforcement of the Monroe doctrine. France does not desire a conflict with the United States. It would neither be popular nor profitable. I left behind me a million men in arms, not one of whom has yet been discharged from the service. The Nation is sore over this occupation, and the presence of the French is a perpetual menace. I hope Your Majesty will pardon me, but in order to speak the truth it is necessary to speak plainly."

"Go on," said the Emperor, greatly interested.

"The matter whereof I have spoken to you is perfectly feasible. I have authority for saying that the American Government would not be adverse to the enlistment of as many soldiers in your army as might wish to take service, and the number need only be limited by the exigencies of the Empire. Thrown upon your own resources, you would find no difficulty, I think, in establishing the most friendly relations with the United States. In order to put yourself in a position to do this, and in order to sustain yourself sufficiently long to consolidate your occupation of Mexico and make your Government a strong one, I think it absolutely necessary that you should have a corps of foreign soldiers devoted to you personally and reliable in any emergency."

On being appealed to Commodore Maury and General Magruder sustained his view of the case, and Shelby continued:

"I have under my command at present about 1,000 tried and experienced troops. All of them have seen much severe and actual service, and all of them are anxious to enlist in support of the Empire. With your permission, and authorized in your name to increase my forces, and in a few months all the promises given here to-day could be made good."

The Emperor still remained silent. It appeared as if Shelby was an enigma he was trying to make out—one which interested him at the same time that it puzzled him. In the habit of having full and free conversations with Commodore Maury, and of reposing in him the most unlimited confidence, he would look first at Shelby and then at Maury, as if appealing from the blunt frankness of the one to the polished sincerity

and known sound judgment of the other. Perhaps Marshal Bazaine knew better than any man at the interview how keenly incisive had been Shelby's analysis of the situation, and how absolutely certain were events, neither he nor his master could control, to push the last of his soldiers beyond the ocean. At intervals the calm, immobile face would flush a little, and once or twice he folded and unfolded a printed dispatch held in his hands. Beyond these evidences of attention it was not known that Bazaine was even listening. His own judgment was strongly in favor of the employment of the Americans, and had the bargain been left to him, the bargain would have been made before the end of the interview. He was a soldier and reasoned from a soldier's standpoint. Maximilian was a Christian ruler and shrank within himself, all his nature in revolt, when the talk was of bloodshed and provinces held by the bayonet. His mind was convinced from the first that Shelby's policy was the best for him, and he leant to it as to something he desired near him for support when the crisis came. He did not embrace it, however, and make it part and parcel of his heart and his affections. Therein began the descent that ended only at Queretaro.

The Emperor did not reply directly to Shelby. He rose up, beckoned De Nove to one side, spoke to him quietly and earnestly for some brief moments, dismissed his visitors pleasantly, and withdrew. His mind, however, it appears, had been made up from the first. He was not willing to trust the Americans in an organization so large and so complete—an organization composed of 40,000 skilled and veteran soldiers, commanded by officers of known valor, and anxious for any enterprise, no matter how daring or desperate. Besides, he had other plans in view.

As De Nove left the meeting, he said to General Shelby:

"It's no use. The Emperor is firm on the point of diplomacy. He means to try negotiation and correspondence with the United States. He thinks Mr. Seward is favorably disposed toward him, and that the spirit of the dominant party will not be adverse to his experiment with the Mexicans. His sole desire is to give them a good government, lenient yet restraining laws, and to develop the country and educate the people. He believes that he can do this with native troops and that it will be greatly to the interest of the American Government to recognize him and to cultivate with him the most friendly relations. At any rate," and De Nove lowered his voice, "at any rate, His Majesty is an enthusiast, and you know that an enthusiast reasons ever from the heart instead of the head. He will not succeed. He does not understand the people over whom he rules nor any of the dangers which beset him. * * * It is no use, I say again, General; the Emperor will not give you employment."

"I knew it," replied Shelby.

"How?" and De Nove shrugged his shoulders.

"From his countenance," said Shelby. "Not once could I bring the blood to his calm, benignant face. He has faith but no enthusiasm, and enthusiasm such as he needs would be but another name for audacity. I say to you in all frankness, Count de Nove, Maximilian will fail in his diplomacy."

"Your reasons, General," said de Nove.

"Because he will not have time to work the problem out. I have traveled slowly and in my own fashion from Piedras Negras to the City of Mexico—traveled by easy stages when the need was, and by forced marches when the need was, fighting a little at times and resting a little at ease at times, but always on guard and watching upon the right hand and upon the left. Save the ground held by your cantonments and your garrisons, and the ground your cannon can hold in range and your cavalry can patrol and scour, you have not one foot in sympathy with you, with the Emperor, with the Empire, with anything that promises to be respectable in government or reliable in administration. Juarez lives as surely in the hearts of the people as the snow is eternal on the brow of Popocatepetl, and ere an answer could come from Seward to the Emperor's minister of state, the Emperor will have no minister of state. That's all, Count. I thank you very much for your kind offices to-day, and would have given a good account of my Americans if kingcraft had seen the wisdom of their employment. I must go back to my men now. They expect me early."

Thus terminated an interview that had more of destiny in it, perhaps, than the seeming indifference and disinclination to talk on the part of the Emperor might indicate. The future settled the question of policy that alone kept the ruler and his subject apart. When the struggle came that Shelby had so plainly and bluntly depicted, Maximilian was in the midst of 8,000,000 of savages, without an army—with scarcely a guard—with none upon whom he could rely—abandoned, deserted, and betrayed. Was it any wonder, therefore, that the end of the Empire should be the dead wall at Queretaro?

In the language of Edwards:

After the French left he had scarcely so much as a bundle of reeds to rest upon. Those of his Austrians and Belgians, spared by pestilence and war, died about him in dogged and desperate despair. They did not care to die, only they knew they could do no good, and, as Lieutenant Karnak said when speaking for all the little

handful, they saw the end plainer, perhaps, than any removed yet a stone's throw further from the finale.

"This last charge will be soon over, boys, and there won't be many of us killed, because there are so few of us to kill; but"—and he whispered it while the bugles were blowing—"although we die for our Emperor to-day, he will die for us to-morrow."

When the rally sounded Karnak's squadron of 70 came back with 6. Karnak was not among them.

It is idle, yet interesting, to speculate on what might have been the fortunes of Maximilian had he accepted the services of this courageous, magnetic, and resourceful ex-Confederate general. At that time, in addition to Shelby and his men, many ex-Confederates were in Mexico, among whom I mention Gen. Sterling Price; General Slaughter; General Bee; Captains Cundiff and Hodge; General Hindman; General Stevens, chief engineer of General Lee's staff; Governor Reynolds, of Missouri; Major McMurtry; Ex-Governor Allen, of Louisiana; General Lyon, of Kentucky; and General McCausland, of Virginia; Governor Harris, of Tennessee, and many other officers and privates who had followed the fortunes of the Confederacy. Moreover, thousands of the Confederates who had sacrificed everything for the lost cause were flocking to Mexico. If Maximilian had accepted the services of General Shelby and his men, undoubtedly tens of thousands of seasoned soldiers from the armies of the North and South would have enlisted under General Shelby's banner. With these forces Maximilian could have easily consolidated his Government and maintained himself in power, even after the withdrawal of the French troops. The acceptance by Maximilian of General Shelby's offer would, no doubt, have changed the whole course of Mexican history. Millions of people from the United States would have flocked to Mexico, developed her tremendous natural resources, and long before this good day Mexico would, in my opinion, have become an integral part of the United States, regenerated by our civilization, and sustained and inspired by American ideals.

Events moved quickly after the withdrawal of the French forces from Mexico. The Mexican soldiers in Maximilian's armies deserted to the Liberal army commanded by Benito Juarez. Beset by disasters on every hand, Maximilian struggled courageously against a cruel and relentless destiny. Then he thought of Shelby and realized the fatal mistake he had made in denying himself the services of this intrepid and resourceful general. He sent for Shelby, who sorrowfully told the Emperor: "It is too late now; my men are scattered; Your Majesty has waited too long."

And so it seems that "the tide in the affairs of men, which taken at its flood leads on to fortune," was omitted by Maximilian, and hence the voyage of his after life was "bound in shallows and in miseries."

Maximilian's Empire quickly collapsed, and on May 16, 1867, at Queretaro, 57 leagues from the capital, betrayed by Lopez, Maximilian and his army surrendered to a full-blooded Indian, Benito Juarez, general of the Liberal army and President of the so-called Mexican Republic. On June 14 a court-martial pronounced the sentence of death against Maximilian and his generals, Miramon and Mejia. This sentence was executed on June 19, 1867.

Empress Carlotta was absent in Europe when Maximilian's Empire crumbled before the ragged and poorly disciplined army of Benito Juarez, and Maximilian made the last lap of his earthly journey from the Convent of Capuchinas to the place of his execution, amid the ringing of church bells, and between long lines of steel, glittering in the unclouded rays of sunshine that bathed that war-torn region. Abandoned by Napoleon III, who withdrew the French armies, betrayed by Marshal Bazaine, deserted by his troops, his wife, Carlotta, haunting the European capitals pleading his cause and seeking military aid, his dream of empire dissipated, Maximilian walked to his doom in front of the ruined wall at Queretaro with a courage and heroism that won the world's admiration, his last utterance being "Poor Carlotta."

But long before the end of Maximilian's foredoomed Mexican adventure, long before he quarreled with Bazaine, whose tide of blood was inundating the land of the Montezumas, Carlotta, weary and disappointed because of her inability to enlist any European power in the failing fortunes of her husband, became suddenly ill. For days and months she was in a delirium, and when her violent illness was somewhat abated it was discovered that she was afflicted with incurable insanity. With intellect atrophied, reason dethroned, imagination violently distorted, oppressed by melancholy, and burdened with an unbearable load of sorrows for which an Infinite Providence seems to have provided no surcease, Carlotta lived—no, existed—for nearly 60 years. Her pathetic condition and the tragedy of her life won for her the sympathy of a generous world.

In May, 1870, about three years after Empress Carlotta was stricken, the European cables carried the news that the mad Empress was dying. At this time John N. Edwards, scholar, poet, biographer, and historian, was editor of the *Kansas City Times*. America never produced a more versatile or more brilliant editor than he. No greater master of pure diction ever directed an editorial pen. The genius of John N. Edwards gave him a place among editorial writers very similar to that accorded Edgar Allan Poe in the realm of poetry. There was much in the life of John N. Edwards that forcibly reminds one of Edgar Allan Poe.

So when the message came that the broken-hearted Empress Carlotta was incurably mad and dying, John N. Edwards dashed off an editorial entitled "Poor Carlotta," that in purity of diction, pathos, and appealing philosophy is probably not surpassed in the literature of the world. Joseph Addison and Samuel Johnson never wrote anything that in clarity of expression, in purity of English, in superb sentence structure, or in prose melody surpassed this editorial, "Poor Carlotta." This editorial was reproduced in the columns of practically all the great newspapers in America and Europe and was read and reread by millions, who were moved to tears by this matchless classic. The editorial was published in the *Kansas City Times* May 20, 1870, and was as follows:

POOR CARLOTTA

Dispatches from Europe say that the malady is at its worst and that the young widow of Maximilian is near her death hour. Ah! when the grim King does come he will bring to her a blessing and a benediction. The beautiful brown eyes have been lusterless these many months; the tresses of her sunny hair have long ago been scorched with fever pain; the beautiful and brave young Spartan, rich in energy, in love, in passionate devotion, knows no more the roses and lawns of Miramar; the Mediterranean brings no more from over perilous seas the silken pennon of her fair-haired, royal sailor lover; it is quiet about Lacken, where the Empress lays a dying; but time will never see such another woman die until the whole world dies.

It is not much to die in one's own bed, peaceful of conscience and weary of childbearing. The naked age is crowded thick with little loves and rose-water lines and the pink and the white of the bridal toilettes. Here is a queen now in extremity, who reigned in the Tropics and whose fate has over it the lurid grandeur of a volcano. A sweet Catholic schoolgirl she was when the Austrian came a wooing, with a ship of the line for chariot. She played musical instruments; she had painted rare pictures of Helen, and Omphale in the arms of Hercules, and Jeanne d'Arc with the yellow hair, and the pensive Roland—her of the Norman face—over whose black doom there still flits a ruddy fervor, streaks of bright southern tint, not wholly swallowed up of death. Yes! it was a love match, rare in kingcraft and court cunning. Old Leopold's daughter married with the flags of three nations waving over her, amid the roar of artillery and the broadsides of battleships. The sea gave its sapphire bloom and the skies their benison. Afar off French eagles were seen, alas! to shadow all the life of the bride with the blood of the husband. The nineteenth century witnessed the heroic epic which darkened to such a tragedy. She came to Mexico, bringing in her gentle hands two milk-white doves, as it were, charity and religion.

Pure as all women; stainless as an angel-guarded child; proud as Edith of the swan's neck; beautiful; a queen of all hearts where honor dwelt; mistress of the realms of music; rare in the embroidery she wove; having time for literature and letters; sensuous only in the melody of her voice; never a mother; it were as though God had sent an angel of light to redeem a barbaric race and sanctify a degraded people. How she tried and how she suffered; let the fever which is burning her up alive give answer. It is not often that the world looks upon such a deathbed. Yet in the rosy and radiant toils of the honeymoon, a bride came to govern an empire where armies did her bidding; and French marshals, scarred at Inkermann and Solferino, kissed with loyal lips her jeweled hand and murmured through their gray moustaches words of soldierly truth and valor. She sat herself down in the palace of the Montezumas and looked out amid the old elms where Cortez's swart cavaliers had made love in the moonlight, their blades not dry with blood of the morning's battle; upon Chepultepec, that had seen the cold glitter of American steel and the gleam of defiant battle flags; upon the Alameda, where Alvarado took the Indian maiden to kiss, who drove the steel straight for his heart and missed, and found a surer lodgment in her own.

All these were bridal gifts to the Austrian's bride—the brown-eyed beautiful Carlotta. Noble white vision in a land of red harlots, with soft, pitying, queenly face; hair flowing down to the girdle, and as true a heart as ever beat in woman's bosom. As a Grecian statue, serenely complete, she shines out in that black wreck of things a star.

It came suddenly, that death of her lover and her husband. It dared not draw near when the French eagles flew, but afterwards, what a fate for one so royal and so brave! God shielded the tried heart from the blow of his last words, for they were so tender as to carry a sor-

row they could not heal. "Poor Carlotta!" Youth, health, reason, crown, throne, empire, armies, husband, all gone. Why should the fates be so pitiless and so unsparing?

Somewhere in eternity, within some golden palace walls, where old, imperial banners float and Launcelots keep guard and Arthurs reign and all the patriot heroes dwell, her Maximilian is waiting for his bride. Long ago that spotless soul has been there. Let death come quickly and take the body and end its misery and subdue its pain. All that is immortal of Carlotta is with her husband. The tragedy is nearly over. In an age of iron and steam and armies and a world at peace it remained for a woman to teach nations how an empress loves and dies. Who shall dare to say hereafter there is nothing in blood or birth? What gentle sister, in the struggle and turmoil of life, will look away from that deathbed in Lacken Castle and not bless God for being a woman and of the sex of her who is dying for her king and her empire? Sleep! The angels have no need of sleep. Nothing suffices love. Having happiness, one wishes for paradise; having paradise, one wishes for heaven. There is a starry transfiguration mingled with her crucifixion. The crown is almost hers, and in the beautiful garden of souls she will find once more the monarch of her youth.

I have but briefly touched the interesting events in connection with General Shelby's expedition to Mexico. May I make a closing observation? The tragic fate of "poor Carlotta" and "poor Maximilian" admonishes us that whatever fate decrees men must abide. It was Schiller who said:

Stern is the onlook of necessity. Not without a shudder may the hand of man grasp the mysterious urn of destiny—vast, colossal destiny, which raises man to fame though it may also grind him to powder.

Or, in the language of Voltaire:

What unknown power governs men! On what feeble causes do their destinies hinge!

[Applause.]

Mr. GRIFFIN. Mr. Chairman, I yield to the gentleman from Alabama [Mr. JEFFERS].

Mr. JEFFERS. Mr. Chairman, I want to use this brief time to urge the consideration of a lower rate of interest than 6 per cent on loans made on the adjusted service certificates of ex-service people, and in this connection I desire to ask unanimous consent to include in my remarks, as a part of my statement, a statement which has been sent to the House Ways and Means Committee by the national legislative committee of the American Legion. I feel it would be of benefit to all Members to read this statement.

Mr. Chairman, my suggestion to all ex-service people holding these certificates is that they refrain, if possible, from borrowing on their certificates, because the amount they may borrow is so small. May I remind the House that in my speech of March 17, 1924, I called attention to the defects in the adjusted compensation bill which was before us, and at that time protested against the forcing of the bill on this House under the "gag" rule, with no opportunity for any Member to offer any remedial amendment to the bill, no matter how worthy or meritorious the amendment might be.

Permit me to repeat here now a part of my remarks of March 17, 1924:

ADJUSTED COMPENSATION

[From speech of Hon. LAMAR JEFFERS, of Alabama, in the House of Representatives, March 17, 1924]

Mr. JEFFERS. Mr. Chairman and gentlemen of the committee, I have here before me a copy of Mr. GREEN's bill, H. R. 7959, which is called the "World War adjusted compensation act."

The first print of this bill that the Members of the House received was placed in their hands about noon on Saturday, March 15, just the day before yesterday. Members of the House have had but very little time to study the provisions of this bill, and, of course, the ex-service people of the Nation have had no chance at all to learn what sort of a bill it is.

My friends, what does "adjusted compensation" mean? Adjusted compensation means but one thing, and that is adjusted pay.

Now, let us note what this bill offers in the way of adjusted pay. It says that each veteran shall be entitled to receive "adjusted-service pay" if the amount of his adjusted-service credit is \$50 or less. The fellow who is entitled to receive \$50 or less will receive his pay in actual money, something that he can make use of for his needs or purposes, according to his own judgment and desire.

But what of the fellow who is to receive more than \$50? What does he get in the way of adjusted pay?

Under this bill he receives what is termed an adjusted-service "certificate." And no matter how badly that man may be needing a little cash at once, there is no way for him to borrow a cent on that "certificate" until after he has held it for two years.

The certificate will be simply a 20-year endowment insurance policy. If the man or the woman who receives it does not happen to need any

cash and can afford to take that policy and let it run for 20 years, it will then—at the end of 20 years—have a face value of just about two and one-half times the amount of adjusted compensation that is due to the man or woman to start with.

For example, if a person is entitled to \$100 adjusted compensation, he will be given a policy which he can keep for 20 years, and it will then have a value of about \$250. A person who is entitled to about \$400 adjusted compensation will have a certificate that will be worth about \$1,000 at the end of the 20 years.

But there are thousands and hundreds of thousands of these ex-service men and women who need a little financial aid now which would enable them to start out in a new home, or to pay on a place, or for farming implements, or for a little furniture, or to pay off some obligation—there are many worthy purposes for which they may need a little cash very badly now. What of them?

If their Government says they are due this adjusted compensation or additional pay, and their Government is the greatest and the richest Government in the whole world, then these ex-service people of the Nation have a right to feel and believe that their great and rich Government could, if it wanted to, easily afford to offer them their adjusted compensation in the usual currency of the country. Any man has a right to expect to receive his pay in money, so that he may take it where he will and expend it as he deems wisest and best for his own needs and purposes.

But the bill that we have here says if he has more than \$50 coming to him he must take a policy.

If he is in urgent need of a little cash, what can he do? Is it arranged so that he can borrow anything on this 20-year insurance policy?

He can not borrow a nickel on that certificate until two years after he gets it. And what can he borrow then? He may then borrow 90 per cent of the amount of the sinking fund that is by that time applicable to his certificate. Not 90 per cent of the amount of his adjusted-compensation credit, mind you, but just 90 per cent of the value of the sinking fund as is applicable to his certificate at that time.

What does that mean? That simply means that a man who is entitled to about \$400 adjusted compensation, for example, will receive a certificate that will have a face value of about \$1,000 if he will keep it for 20 years. Now, at the end of two years from the time when he receives the policy the amount of the sinking fund that will be applied to that policy by that time will be about \$63—I believe it is \$63.67. Then how much can the man borrow? He can borrow 90 per cent of that \$63.67, or the grand sum of \$57.30. And upon that loan he must, of course, pay interest. Then, at the end of the third year he can borrow about \$39 more; at end of fourth year, about \$32 more; at end of fifth year, about \$34 more; and so on each year he may borrow in little dribbles like that. Paying interest every year on all that he has borrowed, and his annual interest may finally amount to enough to eat a big hole in all that he can borrow each year, if, indeed, it would not altogether eat up the new amount that he could borrow.

Take, for example, the case of a man who is due about \$100 adjusted compensation, and gets a certificate which will have a face value of about \$250 if he lives 20 years. Of course, he must wait the two years after he gets the certificate before he can borrow on it, no matter how badly he may need that adjusted compensation of \$100 that the Government will have said is rightfully due him, and then at the end of the two years all that he can borrow is the handsome sum of about \$14.

Think about it; these little dribbles that will be available in the shape of loans each year will eat the man's policy up so that he will not have anything at the end of the 20 years after all, and that sort of a system of small annual payments or small loans each year will run just as straight into a pension system at the end of that time as any scheme that could be devised.

Gentlemen of the House, it is an infamous subterfuge—this bill that has been ushered in here under the guise of an adjusted compensation measure. It will, I very much fear, prove to be a cheap and disappointing "gold brick" if it ever becomes a law in its present form.

Why are the administration leaders here, who are in charge of the legislative program, not willing to let the light in on this bill? Why are they not willing to allow opportunity for a fair debate here on the floor of the House on this bill? Why is it that they are not going to allow any Member of this House to offer a single amendment to this bill?

Here is one of the most important pieces of legislation that this Congress, or any other Congress, will have before it—the adjusted compensation bill affecting the ex-service people of the Nation, the people who actually saved this country and all that it contains from the ravages of the ruthless German horde. Those are the ones, my friends, in whose interests you will be legislating when you vote upon this bill—four and a half millions of the young people of this Nation. Their families and their dependents are interested. Then, too, all the taxpayers of the Nation are naturally interested in this measure.

And yet this bill is going to be forced up here to-morrow under the "gag" rule. There will be the motion to suspend the rules and pass the bill. No Member of this body will be allowed the privilege of offering any amendment whatsoever, no matter how worthy may be the amendment which the Member wishes to offer. There will not even be the opportunity to offer a motion to recommit the bill to the committee. The administration leaders have determined, it seems, to bring the bill in here to-morrow under suspension of the rules, and say, in effect, "Here is what we are going to pass as adjusted compensation for the ex-service men and women of the Nation. It is the best we will offer and we will not allow anybody any chance to offer any amendment to make it any better."

Has that sort of procedure any of the earmarks of fair play? Is that a decent way to treat this important legislation which embraces the sacred obligation of the Nation to the ex-service men and women of the Nation? Bear in mind that this House has already recognized the obligation by voting favorably three times on adjusted compensation; and if it is an obligation, it is certainly the most sacred obligation that the Nation has or could have.

No; that is not fair play. I believe that the only reason they have hit upon this plan of bringing it up to-morrow under the "gag" rule is because they know it is but a poor substitute for real adjusted compensation, and they do not dare to offer it to the House in the regular, decent way, so that the Members could discuss it on the floor and have the privilege of offering amendments, so therefore they have hit upon the plan to bring it in under the cover and protection of the well-known "gag" rule and jam it through this House in that fashion. We will have only the one vote on the proposition, I understand.

If the ex-service people could have the opportunity to take their compensation or pay in money—and in money is the way compensation or pay ought by rights to be proffered to anyone to whom compensation or pay is due—the matter could be settled expeditiously, and the cost of the cash-settlement plan would be much less than the cost of these insurance policies or any other plan. The cost of the cash-payment plan can be figured definitely while it is difficult to predict what the cost of administering these other plans will be before they are done with.

To include in the adjusted compensation bill a straight cash-payment option would not only be the quickest and the least expensive plan but it would be the most satisfactory proposition that could possibly be made to a vast number of the ex-service people for whose benefit this legislation is supposed to be intended.

And a satisfied feeling in the minds and hearts of our ex-service men and women would be the most valuable result that could come from the settlement of the adjusted-compensation question. [Applause.] That is what I want to see more than anything else. They have seen that Congress has already passed favorably on the principle of it several times, and I want them to have a right to feel that the Government has made good on the proposition that has been talked about for so long. I want them to feel satisfied in their hearts. But to those who are in need now of a little financial aid I do not see where these insurance certificates, with no borrowing privileges under two years, and then with very limited borrowing privileges, are going to be of much benefit. But if the Government says an ex-service man is due a certain amount of adjusted or additional pay, and if the Government would offer that man his compensation in money and he accepts it, then that transaction is finished, and the man could take his money and put it to whatever use as he sees fit. There would be no after-math to that in the way of continuous overhead expense to run along year after year for a long period of time, and very likely finally run right along into a pension system.

I know that the argument has been advanced by some that if these ex-service people were paid their compensation in cash they would waste it, and so it would be better for them for Congress to tell them that they can not have cash, but can have an insurance policy instead, on the theory that they would waste the cash. Now, my friends, I think any man ought to be ashamed to offer that argument.

These ex-service men and women are all adult people, just like we are here. Surely they are capable of taking a small sum of money and handling it as would best serve their own interests. What right, I ask you, has any Member of Congress to take the position that he should set himself up as the self-appointed guardian of the ex-service people of the Nation? What right have we to say to these grown men and women that they can not have this compensation in money because they would not have sense enough to handle it if they did get it? I feel that such an argument is a downright insult to them, and I do not take any stock in it. They know what they need better than anyone else knows, and I think they ought to be given the opportunity to take their compensation in cash if they want it that way, so that they can use it to their best advantage as they see fit. They would use it for necessities of life, which they are now in need of in many cases, or it would be used for different kinds of permanent investments, according to the wishes of the individual man or woman, and in any event this money would find its way rapidly into the channels of business in this country and would help business conditions in

every nook and corner of the country instead of upsetting the economic conditions of the country.

Now, Mr. Chairman and gentlemen, if there are those who must borrow whatever amount they can, even though the amount be so pitifully small—and undoubtedly there are many—they should surely not be required to pay 6 per cent interest. The Government should be just as liberal as possible with the needy ex-service people whose circumstances may be such as to compel them to borrow now; and I submit for your earnest and sympathetic consideration this letter from the national legislative committee of the American Legion wherein we find good reasoning to support their suggestion that the rate of interest should not be more than 4 per cent:

STATEMENT OF JOHN THOMAS TAYLOR, VICE CHAIRMAN, NATIONAL LEGISLATIVE COMMITTEE THE AMERICAN LEGION

Mr. Chairman and members of the Ways and Means Committee: The American Legion appreciates this opportunity of appearing before your committee on the legislation which you are now considering to amend the adjusted compensation act. The many bills before you provide that direct Government loans may be made to veterans upon their adjusted service certificates, supplemental to the bank loans already authorized under the law.

There seems to be a general feeling in this committee and in the Congress that some amendatory measure should be enacted at the present session of Congress. The American Legion is in hearty accord with this sentiment, and we urge that prompt action be taken by your committee so that the adjusted compensation act may be amended in this respect prior to adjournment on March 4, next.

While it has been the unanimous opinion of those appearing here to-day that the law should be amended, this same unanimity does not exist on the form this legislation should take. Measures are now pending before your committee and have been advocated to-day which would provide that these direct Government loans be made from the adjusted service certificate fund or from the reserve fund of the United States Government life insurance policies, and from a combination of these two funds. These funds are ample for the purpose. The certificate fund contains \$320,000,000, and the insurance fund \$211,000,000. The earnings of the certificate fund are restricted to 4 per cent by law, while the insurance fund is now earning 4.6 per cent.

Rates of interest to be charged the veterans for these loans have been suggested at 5 per cent or 6 per cent interest, compounded annually. In this connection I should like to call to the attention of the committee the following figures, which have been obtained from the United States Veterans' Bureau:

The average age of the veterans was on January 1, 1925, 33 years. The face value of the average certificate issued \$1,028.90, upon which the loan value at the average age on January 1, 1927, was \$90.53.

Experience of life insurance companies shows that policyholders' loans made against the reserve of insurance policies are rarely repaid. I believe it is the consensus of opinion that this same experience will be had with loans on adjusted service certificates, and that the vast majority of the veterans who borrow against their certificates will not repay these loans. In this event the loans will remain as a compound interest bearing charge against the policies for the 18 years in which they have to run to maturity.

There is no means of ascertaining at the present date just what proportion of veterans will borrow against their adjusted-service certificates, or what portion will regard their certificates as paid-up life-insurance policies, to be scrupulously guarded as a protection for their families or against their old age. In passing, I might say that the American Legion has consistently requested the veterans to regard their adjusted-service certificates in the same light they would paid-up life-insurance policies for which they had paid the premiums out of their own pockets. We have advised them not to borrow upon their certificates any more than they would upon such paid-up life-insurance policies.

Director Hines has told you that 3,303,000 adjusted-service certificates had been issued by the bureau up to January 1, 1927. There is no way at present of estimating the number of these veterans who will borrow upon their certificates. It was estimated this morning by one Congressman that 75 per cent of the veterans would borrow. For the sake of illustrating the point I have in mind, I will assume that one-third of the veterans will borrow against their certificates, and that of this number 1,000,000 will not repay their loans but will allow them to remain as compound-interest-bearing charges against their certificates, the face value of the loans plus the 18 years' compound interest to be deducted at the maturity of the certificate.

I should now like to submit the effects of compound interest on these loans at from 4 per cent to 6 per cent for the 18-year period of such loans.

The average loan will be \$90.53. At the end of 18 years this loan plus compound interest at 4 per cent would create a debt against the face value of the policy of \$183.40; at 4½ per cent it would create a

debt of \$199.94; at 5 per cent, a debt of \$217.87; at 5½ per cent, a debt of \$237.32; at 6 per cent, \$258.40—an indebtedness on the \$90 loan which would be \$75 greater than it would be if the interest rate is set at 4 per cent.

Should 1,000,000 men fail to repay their certificate loans and the compound interest rate be set at 6 per cent, this would mean an increased earning for the Government of \$75,000,000, which would be paid out of the pockets of the men least able to afford it—that is, the men whose poverty or necessity has caused them to borrow on their adjusted-service certificates.

Considerable discussion has been had before the committee to-day as to the increased earnings which certificate loans at 6 per cent would bring to the insurance fund, which is now earning 4.6 per cent.

The 500,000 World War veterans who have Government life-insurance policies are perhaps the most prosperous class out of the 4,200,000 veterans entitled to adjusted compensation. On the contrary, the 1,000,000 who may fail to repay their certificates are probably the least prosperous class of World War veterans.

I submit to you gentlemen that it would be manifestly unfair to charge an extra 2 per cent on the loans of the most unfortunate class of World War veterans, and donate this sum to the most prosperous class of World War veterans—the holders of United States Government life-insurance policies.

We believe that the rate of interest to be charged on these loans by the Government should not exceed 4 per cent. The adjusted compensation act provides that the adjusted-service-certificate fund shall accumulate at the rate of 4 per cent a year, and the Treasury Department has created a special form of Government indebtedness bearing 4 per cent interest, in which these funds have been invested.

We can not see the justice in the Government paying only 4 per cent interest on these invested funds and at the same time requiring the needy veteran to pay a 6 per cent return on the money out of this same fund. These are both investments, equally secured by the Government, and should therefore bear equal rates of interest.

We recognize that the present law charges the veteran 6 per cent on defaulted bank loans, which the Veterans' Bureau will assume in the future. We believe that this 6 per cent rate should also be changed to 4 per cent.

Should the rate on certificate loans be fixed at 4 per cent there would be no incentive for their investment through the insurance fund. For this reason we suggest that these loans be made directly from the certificate fund, and that the rate of interest be set at 4 per cent compounded annually—the same rate at which the Government allows the certificate fund to accumulate in the Treasury.

One more thing. The necessity of veterans requesting certificate loans is so great that they would probably accept these loans regardless of the rate of interest fixed by the Congress. It is our belief that the veteran who needs money so urgently that he feels it proper to borrow upon his certificate, would borrow just as readily if the rate were set at 6 per cent, or 8 per cent, compounded annually, as he would should the Congress set the interest rate at 4 per cent. Yet, consider the far-reaching effect the rate of interest set by the Congress will have upon the amount of money the needy veterans will receive at the maturity of their certificates.

In the opinion of the American Legion, it is the duty of the Congress to protect the veterans in this connection, so that the benefits heretofore awarded them may not be diminished through an exaction which requires the needless return of needy veterans' money to the Treasury. The veteran will not be prevented from making loans through the setting of a high interest rate. We, therefore, appeal to you to set this rate at 4 per cent compound interest, or at a maximum of 4½ per cent. This latter interest rate on 1,000,000 loans would earn more than \$16,000,000 for the Government, a sum vastly in excess of the Government expense in this connection. I do not believe that the Ways and Means Committee nor the Congress desires that the richest Government in the world shall profit at the expense of needy veterans, and it is with this thought in mind that the foregoing is submitted for the consideration of the Ways and Means Committee.

Mr. GRIFFIN. Mr. Chairman, I yield 38 minutes to the gentleman from Mississippi [Mr. COLLINS].

Mr. COLLINS. Mr. Chairman and gentlemen of the committee, I feel that I have a twofold interest in the school system of the District of Columbia in that I have two children in the schools of Washington and also because I am a property owner in the District. Therefore, I do not yield to the superintendent of schools or to anyone else a larger interest in the school system of the District than I feel that I possess myself. In the consideration of the schoolroom needs and the school-teacher needs of the District, or for that matter similar needs of any other municipality in the United States, there is a rule laid down to the effect that a school classroom ought to house 40 pupils in the elementary schools and from 30 to 33 pupils in what is known as high school; that is, the senior high school

and the ninth grade of junior high schools. The same rule applies to teachers. There should be a classroom teacher in the elementary schools for every 40 pupils and a classroom teacher for every 30 to 33 pupils in the high schools. It is an easy matter for us to determine, therefore, whether we have adequate teacher service in the schools of the District of Columbia. The proper method, of course, would be to go to the high schools and find out the number of pupils in the high schools of the District, and to go to the junior high schools and find out the number of pupils there, and to the elementary schools and find out the number of pupils there, and divide the number of pupils in each by the number of regular classroom teachers. Then we would determine in our own minds, independent of any expert advice, whether the rule has been followed in the District of Columbia or not. Therefore, in advance of the hearings I had made for me a chart giving this information. Then I averaged them by schools—elementary, high schools, and junior high schools—and I found in the District of Columbia that the average number of pupils per teacher in the high schools was 19.97, less than 20, and that the average number of pupils per teacher in our junior high schools in the District was 19.54. So that in both the high schools and the junior high schools we have less than 20 pupils per teacher. Everyone, including Doctor Ballou himself, stated that in the junior and senior high schools the average ideal classroom is from 30 to 33. He uses those words—

the ideal size class for a teacher is from 30 to 33 pupils.

Mr. HUDSON. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Yes.

Mr. HUDSON. Did the gentleman make any survey as to how many of those teachers are male teachers in the high schools?

Mr. COLLINS. I did not.

Mr. HUDSON. Does the gentleman know that, for instance, in the Western High School, with approximately 1,500 pupils, there is only one male teacher?

Mr. COLLINS. No.

Mr. HUDSON. And he is 72 years old.

Mr. COLLINS. I did not go into that.

Mr. OLIVER of Alabama. May I ask the gentleman—

Mr. COLLINS. Let me go ahead and I think I will cover everything. Now, in the elementary schools of the District Doctor Ballou testified that the ideal size class is 40.

Mr. HOUSTON. Will the gentleman yield?

Mr. COLLINS. Not now, if the gentleman will excuse me. The average ideal size class is 40, and we find that the elementary school in the District have 31.24 per teacher, or 31 pupils, average per classroom in the elementary classroom. And mind you in these computations only the regular classroom teachers are considered. There are 437 other teachers in the District who are not considered at all in making up these calculations. Now, in these tables which I have just read you, you may ask what basis did you take, did you consider the total attendance or the total enrollment of the schools? Did you take what Doctor Ballou calls the actual enrollment as of a certain date or take the average enrollment or the average daily attendance?

I went to the best authority obtainable—to Doctor Phillips, Chief of the Division of Statistics of the Bureau of Education. He says to take what he terms the number belonging, which means the average enrollment—not the total enrollment, but the average enrollment. I submitted the table to Doctor Ballou and asked him to prepare one of his own similar to the one I had prepared, and he did so, and it is in the hearings. The only difference in it is that he figures the average number per classroom and per teacher according to a different method. He takes what he calls the actual enrollment, which amounts to practically the entire enrollment of the school. But even according to his figures the average number of pupils per teacher in the senior high schools of the District is 22, and, mind you, he is not taking into consideration special teachers. He is taking what he terms the regular classroom teachers. And what does he say should be the basis—30 to 33 pupils per teacher. In the junior high schools the average number of pupils per teacher, according to his figures, is 21.2. And as to them he says that the high-school classes in the junior high schools, which is the ninth grade, should be from 30 to 33; the elementary grades, being the seventh and eighth, should be 40. In the elementary schools of the District his figures are 35.5, and he says that 40 is the ideal size class per teacher in an elementary school. So it does not make any difference whether you take the total enrollments, as he practically does in his computation, or whether you take the average number enrolled, the high schools of the District have more teachers

than they actually need to constitute what the best authorities in this country say is the proper number of pupils per teacher.

Let us consider another table submitted by Doctor Ballou which he terms "schoolhouse accommodations, high schools, evidence of congestion." Now, he takes the different high schools and junior high schools of the District, the Business, the Central, and all the others, and he puts in one column what he terms the capacity of these schools, and in another column the excess number in actual attendance over what he terms "capacity." All of these figures amount to, according to him, an excess of 1,707 over the capacity of the schools. I have gone carefully over that table and I find that according to his own figures elsewhere given in the hearings that the high schools have 22 pupils per classroom and the junior high schools 21.2 per classroom, so this table gives us an incorrect picture of the high-school capacities of the District. There is no excess number of pupils per teacher in the high schools of the District.

Mr. COLTON. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Yes.

Mr. COLTON. Does Doctor Ballou submit these figures to his board? Who assists in the preparation of them? May I say to the gentleman that the reason for my asking the question is that if we can not rely upon the superintendent for accurate information, who is there behind him or back of him to whom we may go for reliable information?

Mr. COLLINS. Oh, I do not know who prepared the figures. I know they were furnished to this committee. I know of the misleading conclusions that I am able to find in them.

Mr. COLTON. I will say to the gentleman, if he will permit, that I have made some little investigation concerning the schools here, and it seems to be the general sentiment everywhere that the schools are not adequately provided for.

Mr. COLLINS. It is a simple matter for the gentleman to determine for himself. Take the average enrollment of the high schools and the number of teachers in them and divide the one by the other will give the gentleman the information he seeks—and so with the junior high schools and the elementary schools. And bear in mind that Doctor Ballou says that 40 per teacher is an ideal size class in the elementary schools and from 30 to 33 in the high schools.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield there for a moment?

Mr. COLLINS. Yes.

Mr. OLIVER of Alabama. It occurs to me that in not going further than the gentleman is going he is perhaps limiting himself to too narrow a basis. The school activities should be taken into account and the number of classes that are taught. There are some schools that teach very few classes and others that teach many, and the number of classes taught during the day should be an item entering into the question.

Mr. COLLINS. Yes; taking the matter up in line with what the gentleman from Alabama has just stated, the figures I have just given are based on 499 high-school teachers. These are Doctor Ballou's figures. There are 415 classrooms in the junior high schools. They have 262 regular classroom teachers in junior high schools and 242 classrooms. In the elementary schools there are 1,492 teachers and 1,414 classrooms. And, mind you, those teachers added together are 437 less than the total number of teachers in the District. In other words, there are 437 teachers that are teaching music and art and the different special subjects about which Mr. OLIVER has just spoken.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Yes.

Mr. SNELL. Where did the gentleman get his information in regard to these various teachers and pupils? Who compiled your information, which you say is much more accurate than that which came from the superintendent of schools?

Mr. COLLINS. The table from which I have largely quoted was furnished by Doctor Ballou, except that I use what Doctor Phillips, the chief of the division of statistics in the Bureau of Education, says is the proper method of computation, whereas Doctor Ballou uses his own method.

Mr. FUNK. We also got information from the representative of the Parent-Teachers' Association, which represents the parents of the children who attend the schools; and apparently those parents have as great an interest in the school facilities and the number of teachers and the activities of the schools as any other people.

Mr. SNELL. But that is not the only thing under consideration in this discussion.

Mr. COLLINS. The figures I have used are as of November 1 and were obtained from Doctor Ballou's office.

Mr. SNELL. Who took those figures?

Mr. COLLINS. Mrs. Bannerman made up the first table from records in the superintendent's office. Then Doctor Bal-

lout furnished the committee with a similar table. The tables mean nothing, except that I wanted listed the number of classroom teachers and the whole enrollment, the average daily attendance, and so on. The figures in each table, however, you may be sure, are substantially the same as the figures furnished by Doctor Ballou, except, as I said, I used the average enrollment as a basis for figuring the number of classrooms per teacher, and he uses what he calls the actual enrollment.

For instance, in the elementary schools, according to his figures, he says the total enrollment is 52,660 pupils in the elementary schools and the whole enrollment is 52,694. In other words, his actual enrollment is just 34 under the total enrollment.

Mr. SNELL. I am not familiar with the figures; but I would take this position, that I would expect a gentleman in Mr. Ballou's position to know just as much about the general conditions and to be as well qualified to speak as the Parent-Teachers' Association. I have nothing against the Parent-Teachers' Association, but I would suppose that the figures he prepared and presented would represent the actual conditions that exist rather than the figures made by somebody outside, not acquainted with the whole proposition, who picked off figures from the records in his office.

Mr. COLLINS. I told the gentleman that there was no difference in the figures. The number of teachers in each table is practically the same. The number of pupils is practically the same in each column, except that Doctor Ballou uses a method of calculation not accepted by the United States Department of Education. Instead of using the figure of 52,660, which he says is the actual enrollment, I use 50,670, because that is the average number belonging to the elementary schools of the District, and Doctor Phillips, the chief of the division of statistics in the Bureau of Education, says that is the proper figure to use.

Mr. SNELL. I understand part of it. I did not understand it entirely. I admit my inability; but the impression which the gentleman gave to the House, as I understood, was that the figures given by Doctor Ballou were not accurate and could not be depended upon and that the statement of the Parent-Teachers' Association should be accepted.

Mr. COLLINS. No. I stated that the figures Doctor Ballou gave were misleading.

Mr. SNELL. I would not put up my knowledge against that of the gentleman; but I have known Doctor Ballou for a number of years, and I do not want that statement to go unchallenged, because I do not think he is that kind of a man.

Mr. COLLINS. That is just a difference of opinion.

Mr. SNELL. That is true; it is a difference of opinion, but I did not want that to go unchallenged, because I do not think he is that kind of a man.

Mr. ARENTZ. Will the gentleman yield?

Mr. COLLINS. Yes.

Mr. ARENTZ. You mean to say by referring to the actual enrollment, that if on September 1 there were 50,000 pupils enrolled and there should be 10 or 100 die or 100 move some place else, that the actual enrollment on the 1st of October would be 50,000 less the number that had moved away?

Mr. COLLINS. The total enrollment covers everybody who has ever had their names on the books. The proper method is to take the average number whose names have been on the rolls and use that. Let me read you what Doctor Phillips says and maybe we can clear it up:

I might add that by average number belonging we mean the average number of pupils that are carried on the register and who are being recorded each day as present or absent. It does not include those who have been enrolled but are dropped for any reason. School systems differ in regard to the length of time pupils are carried before being dropped. In some States the pupil is dropped after he has been absent for three consecutive days. In other States he is carried on the register as long as he lives within the district whether he attends school or not. Lack of uniformity in regard to the definition of when a pupil belongs to a school renders this item a little bit unstable as a basis for determining school costs, although it is an excellent basis for use in a school building program. As a rule we do not build churches especially for Easter Sunday but for the regular congregation. While school attendance does not fluctuate as much as does church attendance, the same principle holds. A district can not afford to construct buildings for the peak of enrollment, and on the other hand, can not ignore the regular enrollment as shown by the average number belonging. As long as the child is on the register, even though temporarily absent for good and sufficient reasons, the school authorities find it necessary to make provision for him upon his return.

Mr. SCHAFER. Will the gentleman yield right there?

Mr. COLLINS. Yes.

Mr. SCHAFER. For instance, you state—

Mr. COLLINS. I will answer a question, but I will not yield for a statement.

Mr. SCHAFER. All right. How can you use your average attendance and keep within a certain limit of pupils per schoolroom, because in one certain month you will have a high average while in other months you will have a lower average?

Mr. COLLINS. I am taking the average enrollment.

Mr. SCHAFER. Then in some months you are going to have—

Mr. COLLINS. I am taking the average enrollment to November 1, the latest date obtainable. The gentleman from New York made some statement with reference to Doctor Ballou's figures. We had Doctor Ballou before this same committee last year, and he estimated for two junior high schools, his teacher needs for two junior high schools, to wit, the Francis Junior High School and the Stuart Junior High School. He stated that each one of them would be completed during the fiscal year 1927; that they had 24 schoolrooms each; and he asked us to provide teachers for those two junior high schools, and we provided him with teachers for them, and he comes before this committee again and asks us for teachers this year for these same two junior high schools, and they have not been completed yet.

Mr. ZIHLMAN. Will the gentleman yield?

Mr. COLLINS. Yes.

Mr. ZIHLMAN. I notice in the hearings that the gentleman differed very materially with Doctor Ballou as to the number of teachers; that he estimated there were 221 less teachers than Doctor Ballou said there were.

Mr. COLLINS. No; the gentleman just did not read enough of the hearings. The gentleman did not read the hearings correctly.

Mr. ZIHLMAN. Then you do not differ with him as to the number of teachers?

Mr. COLLINS. The total teachers of the District is 2,681. Now, let us consider another aspect of the case. Here is a table which gives the actual number of enrollment in the schools. I am taking the total enrollment of the schools. Certainly that ought to satisfy anybody.

In 1916 this total enrollment was 59,526, and in 1926 it was 74,903. His teachers in 1916 were 1,787, and his teachers at the present time are 2,681. Now, if you take the difference between the total enrollment in 1926 and the total enrollment in 1916 and the increase in teachers provided for the schools you will find that Congress is giving him an increase of a teacher for every 17 new pupils enrolled in the District schools—17—and certainly that ought to satisfy even the gentleman from New York [Mr. GRIFFIN]. Now, that increase covers all of the schools, the elementary schools, high schools, and junior high schools. Nobody can justly claim we have been niggardly with Doctor Ballou in providing him with teachers.

Mr. KETCHAM. Will the gentleman yield for a question?

Mr. COLLINS. Yes.

Mr. KETCHAM. Your statement, of course, is very fair, provided, of course, it is based upon the proposition that in 1916 there was an adequate teaching force.

Mr. COLLINS. Oh, there are in the schools of the District of Columbia 437 teachers other than regular classroom teachers in junior and senior high schools and the elementary schools. They have what they call the I. Q. superintendent—intelligence quotient superintendent—who has around 25 teachers under her who do clerical work. We have schools in this District, the atypical schools, where the average daily attendance is scarcely nothing, one with a teacher for one child in average daily attendance.

Mr. KETCHAM. Of course, the gentleman understands that these new developments, for instance, along the I. Q. line, are in line with what is being undertaken in other sections?

Mr. COLLINS. Oh, this work is of uncertain value. You can take \$1,200 clerks and perform this same service.

Mr. KETCHAM. Will the gentleman just permit a statement?

Mr. COLLINS. I can not yield for a statement, but I will permit a question.

Mr. KETCHAM. Then I will put it in the form of a question. Does not the gentleman feel—

Mr. COLLINS. If the gentleman is going to put it that way, I do not yield.

Mr. KETCHAM. Of course, if the gentleman does not care to yield—

Mr. COLLINS. I decline to yield.

Mr. KETCHAM. All right; I will remember that.

Mr. COLLINS. Very well.

Mr. KETCHAM. Well, we will just let it go at that.

Mr. COLLINS. I asked Doctor Ballou to furnish to this committee a table prepared by the United States Bureau of Education, which gives the cities of over 100,000 population and more, and likewise the average daily attendance of schools in these cities, and the per capita cost, as well as the total current expenses of their schools; and the total average pupil cost in the District of Columbia is \$120.67.

Let us now figure what that amounts to to the taxpayers of the United States and the District of Columbia. Suppose we added one child to each teacher of 2,681. This would be 2,681 new pupils. What would that cost, multiplied by this figure of \$120.67 per child? The total would be \$322,000. In other words, if the same teacher force would take care of one more child per teacher we would save \$322,000; and still that does not give the whole picture, because in it we have not estimated anything for the housing of the child. Under the administration of Doctor Ballou the addition of 2,681 pupils to the schools of the District would cost the District nearer \$1,000,000.

In this connection there are only three cities on this list with a higher per capita cost than the District of Columbia; and, mind you, every city listed has a bonded indebtedness except the city of Washington, and if this city had a bonded indebtedness, the cost would be even greater than it is now.

Let us go further with reference to this particular table. Let us consider maintenance of the school plant, which means repair of buildings, the cost in the District amounts to \$8.16 per child. In the last 10 years this item per child has increased in the District of Columbia from \$2.23 to \$8.16, and this year it will be still more. The fixed charges in District schools are lower than in most of the cities, and this is because of the fact that interest on bonded indebtedness is figured in the fixed charges and there is no bonded indebtedness on the schools of the District of Columbia.

Mr. HUDSON. Will the gentleman yield for a question?

Mr. COLLINS. Yes.

Mr. HUDSON. With respect to the figures the gentleman gave a moment ago on maintenance, did the committee find any reason for this great increase in these years?

Mr. COLLINS. I will cite the gentleman one case. I asked some one to furnish the committee with a list of the amounts that had been expended on new school buildings for repairs and preparation of grounds, and so on. This was furnished. I found in that list an item of \$201 and some odd cents for the removing of a tree. I can take two colored men from my home town, bring them to the city of Washington, pay their railroad fare and the cost of living in Washington for a day, and pay them \$5 a day while they are here, and cut down that tree and remove it, pay their expenses and railroad fare back home, and save money for the District on the transaction. [Laughter and applause.]

Mr. Chairman, the superintendent of the District schools would have the public believe that he is fighting singly and alone the battle for the school children of the District of Columbia, and that the Appropriations Committee by their failure to provide for every item favored by him has done irreparable injury to the educational system of the District. There is nothing strange about this position. It is always assumed by those who wish to justify erroneous contentions. I am a taxpayer of the District of Columbia and have two children in the schools of the District, and hence I feel that I have an equal interest in the welfare of the schools with Doctor Ballou. I know that other members of the Appropriations Committee are similarly interested in the District's schools. The only question we have to decide in passing on school appropriations is whether Doctor Ballou's program of extravagant expenditures is to be favored and encouraged or whether the schools should be administered wisely and in line with the thought of the best educators throughout the country.

I propose to show to this House that Doctor Ballou's program is extravagant, wasteful, unwisely planned and administered, and seems to be conceived and promoted for the benefit of persons other than the school children.

Let us consider, first, the teaching staff according to school population. Doctor Ballou's testimony before the subcommittee, on page 539 of the Hearings of the Subcommittee of the House Committee on Appropriations, 1928, states that 40 pupils per teacher in the elementary schools is in line with an ideal school estimate and that around 30 or 33 pupils per teacher for the high schools is an ideal size class. All this means that a teacher in the elementary schools should not have over 40 pupils under her and that a high-school teacher should not be required to teach a high-school class of over 30 or 33 pupils.

I have taken the schools of the District of Columbia as they appear from the records in Doctor Ballou's office as of November 1, 1926, and find that the average number of pupils per

teacher in all high schools is 19.77 and that the average number of pupils per teacher in all junior high schools is 19.54 and that in the elementary schools the average number of pupils per teacher, not including atypical, ungraded, and special schools, is 31.24, and the average number of pupils per teacher for the entire District of Columbia is 23.1. A complete table by schools, taken from records in Doctor Ballou's office, I am inserting as Exhibit A. I requested Doctor Ballou to furnish the subcommittee with a table giving the same information as is contained in Exhibit A as of November 1, 1926, and this he furnished the committee, and it appears on pages 544, 545, 546, 547, and 548 of the hearings, and this table gives the number of pupils per classroom teacher in the senior high schools as 22; and in the junior high schools, 21.2; and in the elementary schools, 35.5; and, according to the tables furnished us by him, he is below his ideal-size class in every instance, and I might add in this connection that he deliberately made his pupils per teacher as high as was possible by using a method of computation flagrantly at variance with all proper and standard methods of making such computations. He uses what he terms actual enrollment, an unheard-of method, and figures which are about the same in size as the total enrollment of the schools. To illustrate: His table shows that there were 52,694 pupils in the elementary schools, and what he terms "actual enrollment" is 52,660—just 34 below total enrollment. And in many instances his "actual enrollment" at many schools is shown to be more than his total enrollment, something to my mind that is inconceivable. What he should use is the average number of pupils belonging to the schools. This does not mean average attendance.

It means the average number of pupils that actually belong to the schools or the average number carried on the rolls of the school. The following excerpt from a letter written January 14, 1925, by Dr. Frank M. Phillips, chief of the division of statistics of the Bureau of Education, gives this as the correct method of computation:

I might add that by "average number belonging" we mean the average number of pupils that are carried on the register and who are being recorded each day as present or absent. It does not include those who have been enrolled but are dropped for any reason. School systems differ in regard to the length of time pupils are carried before being dropped. In some States the pupil is dropped after he had been absent for three consecutive days. In other States he is carried on the register as long as he lives within the district, whether he attends school or not. Lack of uniformity in regard to the definition of when a pupil belongs to a school renders this item a little bit unstable as a basis for determining school costs, although it is an excellent basis for use in a school-building program. As a rule we do not build churches especially for Easter Sunday, but for the regular congregation. While school attendance does not fluctuate as much as does church attendance, the same principle holds. A district can not afford to construct buildings for the peak of enrollment, and, on the other hand, can not ignore the regular enrollment as shown by the average number belonging. As long as the child is on the register, even though temporarily absent for good and sufficient reasons, the school authorities find it necessary to make provision for him upon his return.

And I might further add that the teachers that are listed in my Exhibit A are the regular classroom teachers and Doctor Ballou's table on pages 544 to 548 are regular classroom teachers. They do not include the school librarians, music, drawing, physical training, manual training, domestic art, domestic science, gardening, speech correction, visual instruction, nor the supplementary teachers, who include coaching, research, and annual substitute teachers, nor have been included the teachers in the normal schools, vocational schools, the atypical, ungraded, Americanization, and health teachers.

To illustrate: The table on page 561 of the hearings show that the total number of teachers, including teaching principals, as 2,681, while the teachers in the senior high schools are 499 and in the junior high school 263 and the elementary schools 1,482, or a total of 2,244 teachers, which means that there are 437 other teachers provided for the other teaching activities of the schools of the District.

Many of the tables that are inserted in the hearings by Doctor Ballou are wholly untrustworthy and can not be used for the guidance of persons seeking correct information about the schools of the district. Take the table on page 602 of the hearings, which he submits to show congestion in the high schools. This table undertakes to show that an excess over capacity exists in the 15 senior and junior high schools listed in the table as 1,707. A mere reference to another table furnished by him, which I have already referred to and which can be found on page 545, gives the number of pupils per classroom teacher in the senior high schools as 22 and the number of

pupils per room as 24.6, and, mind you, his computations are made on figures that are almost identical with the total enrollment of the schools. If they were based on the number belonging, as they should be, they would average for high-school teacher 19.77 and for other junior high school 19.54. I am submitting a table fully setting out the facts in each school and am marking it "Exhibit B."

Let us now consider that actual request of Doctor Ballou, a request that the committee saw fit to deny, and that was the request for 74 new teachers. He states in a table on page 535 that 25 of them are for the elementary grades, 44 for the junior high schools, and 5 for the senior high schools, making a total of 74. See page 536. He bases his net average for elementary teachers on the average annual increase in the enrollment in the elementary schools, which he says during the last year has amounted to 891 pupils. I have already shown by his own figures that there was no basis for this plea for additional teachers, because, according to computations made by me on the average number of pupils per teacher belonging in the schools of the District, this average is 31.24, and according to Doctor Ballou's table, which, as I have before stated, is based on a figure practically equal to the enrollment, the average number of pupils per teacher in the schools is 35.5, so there is certainly no necessity for an increase of teachers in the elementary schools.

Now, with reference to the junior high schools, 23 of the teachers needed are for the Garnet-Patterson and the Gordon Junior High Schools, and neither of these schools will be ready for occupancy during the fiscal year 1928. Of the rest of the 44 estimated as needed in junior high schools, 2 are for the Hine addition, 7 for the Francis, 3 for the Randall, and 7 for the Stewart.

Now, as to the Stewart, it is a 24-room building, and Doctor Ballou, on page 693 of the hearings on the District appropriations for 1927, stated that this school would be completed during the fiscal year 1927 and he estimated his total teacher needs for the school and the Congress gave them to him, and this year he undertakes to fudge on us and requests teachers for this same school again. He likewise requested teachers for the Francis Junior High School, which he stated would also be completed during the fiscal year 1927, and we gave him the total teachers that he needed to take care of the needs of this school, and now he undertakes to fudge on us by requesting teachers for this school, when we have already provided him with all the teachers' service that he said was needed. He says he needs five teachers for increased enrollment in the high schools and in his statement last year on school needs he tells us on page 693 of the hearings that about one-third of the room in junior high schools will be occupied by 9A and 9B grades and will correspond with the freshman classes now in the senior high schools, thus the senior high schools will be relieved of congestion to that extent. In other words, every time a junior high school is constructed relief is extended to senior high schools and high school teacher force and so from his own testimony there is no necessity for additional teaching force in the senior high schools, especially since it has been shown that the high-school attendance is between 19 and 20 pupils per teacher.

The truth is that Doctor Ballou's statements are frequently inconsistent, at variance with former statements, unreliable and seem to be made for the purpose always of bolstering up unnecessary, unwarranted, and extravagant expenditures. For instance, on page 692 of the hearings last year, in discussing the average annual increase in enrollment in the elementary schools, from 1914 to 1920, he stated this enrollment was 780 pupils and from 1920 to 1924, he stated it was 870 pupils and for the whole 10-year period he stated it was 813 pupils. This year, on page 535 of the hearings on the bill for 1928, he says the average increase in enrollment in the elementary schools during the last five years was 894 and during the last 10 years, 1,021. His increased enrollment last year in the elementary schools he puts at 780, which would certainly make his figures given the committee this year untrustworthy and wholly at variance with past figures. He gives on page 566 the increase in enrollment up to December, for all the schools, as being 981.

The superintendent of schools in his requests for additional teachers always makes these requests on what he terms estimated increases in enrollments, and he makes these estimates for the high schools and the elementary schools, but makes no estimates for the junior high schools, but testifies that he considers the ninth grade in the junior high schools as belonging to the high schools and the seventh and eighth grades in junior high schools as belonging to the elementary schools. Upon these estimates, which have always been largely in excess of average enrollments, Congress has heretofore given

him large increases in the number of teachers. Of course, teachers should not be selected on the basis of enrollment, as I have already fully pointed out, but should be provided for on the basis of the average daily enrollment of the schools, which are termed average number belonging. But let us consider the subject as Doctor Ballou wishes us to, and we find that the total enrollment of the schools for 1916 was 59,526 and for the year 1926 it was 74,903, and this gives us a net increase in enrollment of 15,377, and his number of teachers in 1916 was 1,787 and his number of teachers in 1926 was 2,681, which gives us a net increase in teachers of 894. In other words, the Congress has provided him with a new school teacher for every 17 pupils enrolled in the schools of the District of Columbia since 1916.

The whole truth about the matter is that these increases in teachers have not been going into the schoolrooms. Many of them are fad teachers and many others of them are used in departments where clerks could do the work equally well and would cost the Government less money.

Now, let us next consider his plea for additional classrooms. As usual, he furnishes us with a table which he terms accumulated shortage in classrooms as of November 1 of each year. This table appears on page 602 of the hearings, and in it he lists, first, 65 classrooms to eliminate 65 portables. I attach it, marking it "Exhibit C." Portables are small frame school-houses that are provided for schools that are not sufficiently equipped with schoolrooms to supply school needs. Personally I seriously doubt if the number would be decreased even were we to go so far as to build twice as many school buildings as have already been constructed, for they are used for propaganda purposes pure and simple. Of course, this does not mean that they are not sometimes needed, for they are sometimes needed in sections of the District that have been built up rapidly.

I am submitting as Exhibit D a table containing all of them that I have been able to discover from the school records, 62 in all, and the table names the schools to which they are attached, the number of pupils per classroom at each school according to the average number belonging, and also the number of pupils per classroom according to the imperfect method used by Doctor Ballou. According to this table, the average number of pupils belonging per school at which the portables are located amount to 38.5, and according to Doctor Ballou's imperfect method of computation the average per classroom at the schools where they are located is 40.4. The elimination of Maryland and Virginia children from District schools would greatly reduce the number of portables in some schools. But even with these children in the schools a carefully thought-out building program, conceived only in the interest of the school children, would have already relieved this situation, and this could have been accomplished with smaller appropriations than have been spent during the régime of Doctor Ballou.

He next lists as necessary 24 schoolrooms to eliminate rented quarters. I have gone over the list which he submits to the committee, which appears on pages 621 and 622 of the hearings. The list gives the location of the rented properties. It appears as Exhibit E. I am unable to determine how he is able to figure that it is necessary to build 24 schoolrooms to take care of the activities now conducted in these rented properties. Three of these rented properties are for school gardens, and certainly no schoolrooms are needed to take their places. One rented is the Friendship Baptist Church, and is now used for certain activities of the Randall Junior High School Annex. It has already been vacated. Five of them are for atypical classes, where a total of about 30 children are being taught, and it is very much better for these schools to be conducted in rented buildings than in regular old-type school buildings, because there is no regularity of attendance with atypical children, and then this class of children does not always exist in the same localities. Four of them are taken up with cooking and sewing classes and household arts, and the last one is a vacant piece of ground, where are located the portables of the Wilson School. A school superintendent must be possessed of a highly inventive mind to be able to conjure up a classroom shortage out of this list equal to 24 rooms. Certainly, if huge expenditures are to be made for school buildings, this is not the place to begin. I submit a list giving cost of rented space and buildings and have marked it "Exhibit E."

He next states that it is necessary to build 22 classrooms to eliminate undesirable rooms. This is a matter that no one could discuss unless he was able to inspect the so-called undesirable rooms, which no member of this committee has been able to do.

He next lists in his table the necessity to build 42 classrooms to reduce oversize classes. If he means by this item that there are 42 oversize classrooms in the District, the committee has

already taken care of this item, because the table furnished by Doctor Ballou to the committee shows (p. 643 of the hearings) that the Garnet Patterson Junior High School, which has already been authorized and which will be built this year, will take care of 49 oversize classes, more than the number mentioned above and referred to in Doctor Ballou's table on page 602. He certainly means that there are only 42 oversize classes in the District. And, certainly, figures elsewhere given by him, particularly on pages 544 to 548, show that the average number of pupils in the junior high schools are 21.2 and in the high schools 22 and in the elementary schools 35.5, and in the schools as a whole 30.29 average.

The next item is 130 classrooms to eliminate 125 part-time classes in grades 1 and 2 and five part-time classes in grades above the second grade. It is my opinion that this item is carried merely for the purpose of promoting a big ground buy and building program. It has always been my understanding that little tots, such as go to the first and second grades, should not be required to work over three hours per day, as their little minds should not be overworked, and schoolroom activities for a longer time than this is an injury rather than a help to children of their tender years.

In his next item he says it is necessary to build 156 classrooms to take care of classrooms located in buildings that should be abandoned.

I have discussed each of these items in my Exhibit F, and in this connection I call attention to Doctor Ballou's other table mentioned on page 563 of the hearings, and from my analysis and his table just referred to these could be easily reduced from 156 down to 48, and with reference to these 48 classrooms they are in schools that at least equal in general appearance and school suitability others in the District which have not been recommended for abandonment and which are generally classed as reasonably good school buildings.

The United States Bureau of Education publishes each year a table giving the per capita cost in city schools of cities of over 100,000 population and more, and I asked Doctor Ballou in the hearings to furnish this table to the committee, and he has done so, and it appears on page 549 of the hearings. This table I make an exhibit and mark "Exhibit G." In the consideration of the table it is well to remember that every city listed has a bond issue except the District of Columbia, and

the per capita cost of the District schools would be larger than it is were it not for the fact that the District is free of a bond issue, so this fact should be taken into consideration in an examination of the table. Notwithstanding this fact, however, only three of the cities listed have higher per capita cost than the District, whose per capita cost is \$120.87. This cost has mounted materially during the last two years, for in 1923-24 it was \$99.86.

Only two of the cities listed have a higher instruction cost in the day schools than the District, whose instruction cost per child is \$95.96.

And only three listed have a school-plant operation cost higher than the District, whose cost per capita is \$11.86. In this connection it is well to note the fact that every city listed is in a colder climate than the District of Columbia, and hence the operation cost of their school plants would naturally be higher than the District; still there are only three that are higher. The maintenance of the school plant in the District of Columbia is \$8.16 per capita. There are only three cities listed with a per capita cost for maintenance higher than that of the District. In this connection, I might add that the cost of maintenance of the plant in the District has gradually grown year by year from 1916 down to date. In 1916 it was \$2.23, and for this year it is estimated to be around \$9. With reference to the tabulation of fixed charges, it is not necessary to mention this, because there is no bonded indebtedness in the District, and interest on bonded indebtedness is usually covered in fixed charges.

Unnecessary and wasteful expenditures on school plants and a high and out of proportion number of teachers per school population is reflected in the per capita cost of school children; and to bring home to you the magnitude of this, I direct your attention to this one illustration: There are 2,681 teachers now in the District of Columbia schools. A difference of one pupil per teacher throughout the system would make a total difference of 2,681 pupils, and figuring the per capita cost of each child at the now prevailing per capita cost in the District at \$120.87, the prevailing per capita cost would give us the enormous figure of \$322,000. During the last four years we have gone down from 26.19 children per teacher to 23.4 for last year, and this is one of the large reasons why the per capita cost in the District schools is steadily mounting.

EXHIBIT A
[Nov. 1, 1926]

	Number of teachers	Number of classrooms	Enrollment	Average daily attendance	Average number belonging	Pupils per teacher, column 4 ÷ column 1	Pupils per classroom, column 5 ÷ column 2
	1	2	3	4	5	6	7
WHITE SCHOOLS							
FIRST DIVISION (MR. B. W. MURCH, S. P.)							
Addison	8	8	265	251	262	31	32
Brown, E. V.	26	16+3P=19	973	912	946	35	49
Conduit Road	1	1	37	31	34	31	34
Corcoran-Jackson	18	8+8=16	599	549	575	30	36
Curtis-Hyde ¹	22	9+8=17	719	666	704	30	41
Eaton, John	28	16+1P=17	899	839	872	29	51
Fillmore ¹	10	8	362	327	347	32	43
Industrial Home	3	4	65	58	60	19	15
Reservoir	6	4+1P=5	204	189	198	31	39
Tenley-Janney	17	8+8=16	518	480	504	28	31
Grant	10	12	328	304	317	30	26
Oyster	8	8	205	186	195	23	24
Toner	5	8	129	104	115	20	14
Weightman	8	8	222	206	216	26	27
	170	134—P and R		5,102	5,345		462
SECOND DIVISION (MISS JANET McWILLIAM, S. P.)							
Dennison	7	12+9 (Berrett)	139	127	134	18	(U. G.) 11
Thomson	23	18	664	591	625	26	34
Morgan	8	8	262	238	249	29	31
		43		956	1,008		
THIRD DIVISION (DR. E. G. KIMBALL, S. P.)							
Barnard	9	8	334	316	330	35	41
New Brightwood	7	16	237	224	232	32	(A. T.) 14
H. D. Cooke	25	20+1P=21	762	714	740	28	35
Hubbard-Raymond	16	8+8=16	521	494	511	31	(U. G.) 32
Johnson-Bancroft	23	8+9=17	790	735	766	32	45
Keene	8	4+3P=7	177	165	172	20	24
Petworth ¹	26	16+6P=22	868	821	859	31	39
Ross	6	8	184	175	182	29	22
Takoma	22	16+2P=18	775	733	761	33	42
Truesdell	18	12+4P=16	666	620	640	34	40
West	21	16	692	656	686	31	42
Whittier	9	8	232	215	224	24	28
	190	157		5,869	6,103		404

¹ Gets relief from junior high.

² Provided for in 1927.

EXHIBIT A—Continued

	Number of teachers	Number of classrooms	Enroll- ment	Average daily at- tendance	Average number belonging	Pupils per teacher, column 4 ÷ column 1	Pupils per classroom, column 5 ÷ column 2
	1	2	3	4	5	6	7
WHITE SCHOOLS—Continued							
FOURTH DIVISION (MISS MCWILLIAM, S. P.)							
Force-Adams.....	23	12+8+1p=21.....	725	657	690	28	33
Henry-Polk.....	19	12+8=20.....	503	460	501	24	25
	42	40.....		1,117	1,191		55
FIFTH DIVISION (MR. S. M. ELY, S. P.)							
Brookland-Bunker Hill.....	19	12+2+2p=16.....	694	640	671	34	42
Burroughs.....	13	8+1p=9.....	492	467	483	36	53
Emery-Eckington.....	28	16+8=24.....	937	877	926	31	38
Gage.....	14	12.....	340	323	335	23	26
Gales-Arthur.....	22	12+8=20.....	694	624	666	28	33
Langdon.....	18	10+1p+4p=15.....	608	572	593	32	39
Monroe.....	20	16.....	542	509	533	25	33
Parkview.....	34	16+5p=21.....	1,002	967	997	25	47
Seaton-Blake.....	20	12+8=20.....	660	590	630	29	21
	188	140.....		5,569	5,834		
P. 2.....	628	T514.....					
	396						
Total.....	1,024						
Aty., ungr., etc.....	43						
White elementary.....	1,067						
Colored elementary.....	552						
Total elementary.....	1,619						
White high schools.....	619						
Colored high schools.....	207						
Total.....	2,445						
Total employed.....	2,690						
Special itinerant, music, art, etc.....	225						
SIXTH DIVISION (MISS A. DAVIS, S. P.)							
Benning.....	8	7.....	244	231	241	29	34
Blair-Hayes.....	23	8+8+2p+1p=19.....	762	708	738	31	38
Blow.....	8	8.....	237	222	233	28	29
Carbery.....	9	8.....	303	282	292	31	36
Edmunds-Maury.....	22	8+8=16.....	766	723	759	33	47
Kenilworth.....	4	4.....	141	132	138	33	34
Kingman.....	10	8+1p=9.....	343	320	331	32	37
Ludlow-Taylor.....	19	8+8=16.....	616	585	610	31	38
Madison.....	9	8.....	312	299	307	33	38
Peabody-Hilton.....	27	12+8+1p=21.....	835	780	814	29	39
Pierce-Webb.....	19	8+8=16.....	631	592	620	31	39
Wheatley.....	18	20.....	743	705	733	39	36
	176	138—P. and R.....		5,579	5,816		445
SEVENTH DIVISION (MISS E. A. HUMMER, S. P.)							
Brent-Dent.....	16	8+8=16.....	489	463	477	29	29
Bryan.....	18	12+2p=14.....	656	625	647	35	46
Buchanan.....	20	16.....	736	691	718	34	49
Congress Heights.....	15	12+2=14.....	540	485	522	32	37
Crutch-Tyler.....	21	8+8=16.....	694	654	693	31	44
Ketcham-Van Buren.....	19	8+14=22.....	658	618	641	32	29
Lenox-French.....	12	8+1p+5R=14.....	266	257	271	21	19
Randle-Orr.....	12	8+4=12.....	398	374	391	31	32
Stanton.....	3	4.....	80	73	78	24	19
Van Ness.....	8	8.....	193	169	182	21	22
Wallach-Towers.....	20	14+8=22.....	679	638	666	32	30
	164	140.....		5,047	5,286		356
EIGHTH DIVISION (MISS MCWILLIAM)							
Bradley.....	9	8.....	320	296	311	33	39
Fairbrother-Bowen.....	13	8+8=16.....	475	443	471	34	29
Greenleaf.....	8	8.....	257	169	180	21	(A T) 22
Amidon.....	9	8.....	321	291	316	32	38
Smallwood-Bowen.....	17	8+8=16.....	476	430	467	25	29
	56	56.....		1,629	1,745		157
	396	T 334.....					958
NINTH DIVISION (MR. B. W. PATTISON)							
Atypical:							
340 G Street NE.....	2	5 rented.....	29	25	28	12	5
Congress Heights Annex.....	1	2.....	6	5	5	5	3
809 East Capitol Street.....	3	6 rented.....	48	40	43	13	7
Industrial Home.....	1	11.....	13	11	11	10	
Fourteenth and Lawrence NE.....	1	1 rented.....	11	10	11	7	11
New Brightwood.....	1	Building report.....	9	7	7	7	
810 Sixth Street SW.....	3	8 rented.....	25	20	22	7	3
Threlkeld.....	2	4.....	21	18	17	9	4
Ungraded:							
Fairbrother.....	1	Building report.....	6	5	6	5	
Madison (portable).....	1	do.....	6	4	4	4	
Morse.....	2	8.....	17	14	14	7	
Threlkeld.....	1	13.....	13	11	11	11	
Hubbard.....	1	6.....	6	1	1	1	
Dennison (coaching).....	1	Building report.....	13	8	9	8	
House of detention.....	1	do.....	49	13	13	13	

* Provided for in 1927.

EXHIBIT A—Continued

	Number of teachers	Number of classrooms	Enroll- ment	Average daily at- tendance	Average number belonging	Pupils per teacher, column 4 ÷ column 1	Pupils per classroom, column 5 ÷ column 2
	1	2	3	4	5	6	7
WHITE SCHOOLS—Continued							
NINTH DIVISION (MR. B. W. PATTISON)—Continued							
Americanization.....	5	12	379	190	214	38	18
Health.....	2	8	47	36	42	18	5
Morse (special).....	2	22	22	21	21	11	-----
Macfarland (coaching).....	1	Building report.....	8	6	6	6	-----
Blake (open window).....	1	do.....	11	9	9	9	-----
Abbott (vocational).....	10	9	141	99	110	10	12
COLORED SCHOOLS							
TENTH DIVISION (MISS E. F. G. MERRITT, S. P.)							
Briggs.....	10	8	365	369	375	36	47
Bruce.....	18	8+1p+4R=13.....	654	593	611	33	47
Chain Bridge.....	1	2	28	22	23	22	11
Cleveland.....	17	12	589	548	561	32	47
Garrison.....	17	16	650	580	599	34	37
Military Road.....	4	4	157	142	149	37	37
Montgomery.....	10	8	363	337	348	33	43
Phillips.....	11	8	365	341	354	31	44
Reno.....	6	4	147	130	137	25	34
Stevens.....	20	18	791	710	749	35	41
Sumner-Magruder.....	20	18	743	701	727	35	40
Wilson.....	15	8+3p=11.....	522	485	503	32	45
Wormley.....	10	8	335	295	315	29	39
Miner Normal.....	9	9	194	192	198	21	22
	168	131—port. and R.....		5,445	5,649		491
ELEVENTH DIVISION (MISS MERRITT, S. P.)							
J. F. Cook.....	19	16	704	646	670	34	42
Garnet-Patterson.....	31	12+8+1p=21.....	1,157	1,139	1,167	36	-----
Mott.....	31	25	1,216	1,097	1,138	35	45
Slater-Langston.....	21	8+8=16.....	756	719	737	34	46
	102	77.....		3,601	3,712		188
TWELFTH DIVISION (MR. L. L. PERRY S. P.)							
Atypical:							
Birney.....	1	2	9	8	8	8	4
Do.....	1	2	13	13	13	13	6
Cleveland.....	1	1	12	10	11	10	11
Lincoln.....	1	1	19	11	14	11	14
Phillips.....	1	1	5	4	5	4	5
Twining.....	1	1	11	8	10	8	10
Stevens.....	1	Building report.....	24	22	23	22	-----
Ungraded:							
Old Bell.....	1	1	8	7	7	7	7
Birney.....	1	1	31	27	28	27	28
Do.....	1	1	18	19	19	19	19
Lincoln.....	1	1	19	13	15	13	15
Do.....	1	1	15	12	14	12	14
Magruder.....	1	1	15	10	12	10	12
Montgomery.....	1	1	21	16	18	16	18
Twining.....	1	1	11	7	10	7	10
Do.....	1	1	21	13	17	13	17
Do.....	1	1	25	19	22	19	22
Harrison, health.....	4	8	52	43	48	11	6
Vocational:							
M. M. Washington.....	14	9	226	184	200	13	22
Phelps.....	10	8+4 p=12.....	171	122	145	12	12
	45						
THIRTEENTH DIVISION (MR. J. C. BRUCE, G. P.)							
Ambush.....	9	8	352	315	330	35	41
Banneker-Jones.....	20	8+8=16.....	709	648	675	32	42
Bates Road (portable).....	1	1p.....	24	16	17	16	17
New Bell.....	20	16	608	531	573	26	35
Birney.....	19	14+2p+3R=19.....	626	574	608	30	32
Burrville.....	18	12+2	677	618	646	34	46
Cardozo-Old Bell.....	21	8+8=16.....	717	650	684	31	42
Crummell.....	7	6	268	240	251	34	42
Deanwood.....	16	13	585	548	560	-----	-----
Garfield.....	8	12	204	185	198	23	16
Douglass-Simmons.....	15	8+8=16.....	533	478	498	32	31
Lincoln-Giddings.....	18	12+8=20.....	714	647	683	34	34
Logan.....	12	8	464	420	441	35	35
Lovejoy.....	22	20	841	761	801	35	40
Payne.....	10	8	350	187	199	18	25
Smothers.....	8	5+2p=7.....	260	231	238	29	34
Syphax.....	13	8+2p=10.....	406	420	440	32	44
	237	198		7,469	7,842		530
Total.....	552	Total, 406—P and R.....					

* Relief for junior high.

* Provided junior high in 1927.

* In estimates.

* Provided four rooms in 1927.

EXHIBIT A—Continued

Junior high schools and high schools	Number of teachers	Number of classrooms	Enrollment	Average daily attendance	Average number belonging	Number of pupils per teacher	Number of pupils per classroom
	1	2	3	4	5	6	7
WHITE							
Columbia Junior High	52	37	977	915	956	17	25
Hine Junior High	32	22	682	636	667	19	30
Jefferson Junior High	32	20	582	531	573	16	28
Langley Junior High	28	13	621	600	617	21	47
Macfarland Junior High	35	23	691	666	683	19	22
Old Brightwood Junior High		8					
Powell	27	16	556	541	552	20	34
	206			3,889			
High schools:							
Central	135	46	2,875	2,686	2,808	19	61
Eastern	79	56	1,777	1,683	1,752	21	31
Western	53	39	1,236	1,171	1,209	22	31
McKinley	70	35	1,231	1,162	1,206	16	34
Business	58	31	1,118	1,024	1,083	17	35
	395			7,726			
Wilson Normal	13	11	254	250	253	19	23
Wilson Normal Practice	5	10	296	271	286	54	28
COLORED							
Randall Junior High	27	21	516	476	504	17	24
Shaw Junior High	36	27	997	892	958	24	35
	63			1,368			
Dunbar High	62	42	1,633	1,595	1,681	25	45
Dunbar Business High	14		222	194	210	14	
Armstrong	55	20	1,048	886	996	16	49
	131			2,675			
Miner Normal	13	9	472	446	455	34	50

¹ Provided for in 1927 act.

Personnel summary, high schools and junior high schools

Average daily attendance:		
White high schools		7,726
Colored		2,675
Total		10,401
Number teachers:		
White high schools		395
Colored		131
Total		526
Average number pupils per teacher in all high schools		19.77
Average daily attendance:		
White junior high schools		3,889
Colored		1,368
Total		5,257
Number teachers:		
White junior high schools		206
Colored		63
Total		269
Average number pupils per teacher in all junior high schools		19.54

Personnel summary, elementary schools

Average daily attendance, not including atypical, ungraded, and special schools, white	30,808
Number teachers, not including atypical, ungraded, and special schools, white	1,024
Average number pupils per teacher, not including atypical, ungraded, and special schools, white	30.14
(This does not include special itinerant teachers (about 225) of music, art, physical training, etc.)	
Average daily attendance, not including atypical, ungraded, and special schools, colored	16,517
Number teachers, not including atypical, ungraded, and special schools, colored	507
Average number pupils per teacher, not including atypical, ungraded, and special schools, colored	32.57
Total average daily attendance, not including atypical, ungraded, and special schools, white and colored	47,325
Total number teachers, not including atypical, ungraded, and special schools, white and colored	1,531
Average number pupils per teacher, not including atypical, ungraded, and special schools, white and colored	31.24

EXHIBIT B

Schoolhouse accommodations—High schools—Evidences of congestion—November 1, 1926

(Table from p. 602 of the hearings)

School	Per teacher	Capacity in 1926	Enrollment, Nov. 1—							Excess in 1926	
			1920	1921	1922	1923	1924	1925	1926	Per class	Room
Business	19.3	900	1,208	1,281	1,330	1,256	1,203	1,137	1,082	25.7	182
Central	21.8	2,300	2,837	3,072	3,182	3,276	3,154	2,973	2,836	32.4	536
Eastern	22.5	1,500	661	884	1,052	1,397	1,545	1,629	1,751	24.1	251
McKinley	17.8	1,100	1,298	1,464	1,502	1,408	1,373	1,282	1,200	27.1	100
Western	24	1,200	760	894	1,041	991	1,058	1,203	1,226	26	26
Columbia Junior ¹	18.7	300	140	251	354	366	391	309	337	20.7	37
Hine Junior ¹	21.4	150					148	177	131—19	22.1	
Jefferson Junior ¹	18.6	100						145	131	25.0	31
Langley Junior ¹	22.7	225					147	156—69	165—60	29.2	

¹ Ninth grade only in junior high schools.

EXHIBIT B—Continued

School	Per teacher	Capacity in 1926	Enrollment, Nov. 1—							Excess in 1926	
			1920	1921	1922	1923	1924	1925	1926	Per class	Room
Macfarland Junior ¹	20.0	225					197	195— 30	194— 31	25.2	
Powell Junior ¹	21.5	100						115	164	28.0	64
Armstrong.....	18.6	1,100	638	880	1,094	1,076	1,054	1,099— 01	1,050— 50	18.3	
Dunbar ²	30.1	1,200	1,402	1,540	1,597	1,742	1,688	1,776	1,857	33.4	657
Randall Junior ¹	19.1	100					75	94— 6	111	22.4	11
Shaw Junior ¹	27.6	250	40	65	115	124	238	153— 97	222— 28	27.6	
Total.....		10,750	8,984	10,331	11,267	11,636	12,271	12,443—203	12,451—188		1,895 —188
Net excess.....			1,264	2,981	3,917	2,886	2,971	1,693	1,707		1,707

¹ Ninth grade only in junior high schools.² 14 teachers in business department.

Brightwood Junior High School, seventh and eighth year classes only.

Total for high schools per teacher, 22; per classroom, 27.2.

Total for junior high schools per teacher, 21.2; per classroom, 24.06.

These totals are furnished by Doctor Ballou on page 545 and are based on figures which represent practically the entire enrollment of the schools.

EXHIBIT C

WASHINGTON, D. C., November 1, 1926.

Accumulated shortage as of November 1 of each year

Classrooms needed	1920	1921	1922	1923	1924	1925	1926
1. To eliminate portables	73	71	61	61	57	66	65
2. To eliminate rented quarters	41	33	28	28	24	26	24
3. To eliminate undesirable rooms	21	39	34	28	30	27	22
4. To reduce oversize classes	57	57	57	51	40	51	42
5. To eliminate part-time classes:							
Grades I and II	150	152	137	150	123	121	125
Above Grade II	18	19	19	18	6	6	5
6. To abandon buildings recommended for immediate abandonment in 1908 still in use: Threlkeld, 4 rooms (John F. Cook, 8 rooms)	12	12	12	12	12	12	4
7. To abandon buildings recommended for early abandonment in 1908, still in use: Abbot, 9 rooms; Adams, 8 rooms; Beret, 9 rooms; Bradley, 8 rooms; Force, 12 rooms; Jefferson, 20 rooms; Lincoln, 12 rooms; Webster, 12 rooms	90	90	90	90	90	90	90
8. To abandon other buildings now unfit for use:							
Bell, 8 rooms (Chain Bridge, 1 room), (Hamilton, 4 rooms), (Smothers, 4 rooms); Tenley, 8 rooms	25	25	25	21	20	20	16
Arthur, 8 rooms; Brightwood, 8 rooms; Garnet, 12 rooms; Langdon, 10 rooms; Patterson, 8 rooms					46	46	46
Grand total	437	498	463	459	448	465	439

¹ Buildings now abandoned.² Used for junior high school seventh and eighth year classes.

EXHIBIT D

Portables in District of Columbia schools

School	Number	Average belonging	Ballou's method	Remarks
Smothers	2	34	37.1	Provided for.
Syphax	2	44	46	
Birney	2	32	36.7	Atypical and ungraded.
Phelps	4	12		Vocational.
Bates Road	1	17	23	
Burrville	2	46	47.9	
Garnet Patterson	3	50.7	50.3	Provided for.
Wilson	3	45	47.2	Do.
Bruce	1	47	50.5	Do.
Bryan	2	46	47.3	
Lenox-French	1	19	33.3	Incorrect calculation by Doctor Ballou; should be 20.5.
Peabody-Hilton	1	39	39.3	
Kingsman	1	37	37.8	
Blair-Hayes	3	38	42.2	Incorrect calculation by Doctor Ballou; should be 40.
Parkview	5	47	47.9	Provided for.
Langdon-Woodridge	5	39	40.4	Do.
Burroughs (1927)	1	53	54.6	Do.
Brookland-Bunker-Hill	2	42	48.9	Incorrect calculation by Doctor Ballou; should be 42.
Force-Adams	1	33	34.2	
Truesdale	4	40	41.2	
Takoma (Maryland)	2	42	42.8	
Petworth (Macfarland Junior)	6	39	39.5	Provided for.
Keene	3	24	24.7	
H. D. Cooke	1	35	35.7	
Reservoir	1	39	40	Do.
John Eaton	1	51	52.7	
E. V. Brown (M)	3	49	50	
Total and average per school	62	38.5	40.4	

EXHIBIT E

Rented properties, 1926-27

[See pages 621-622, hearings]

Premises	Annual rental	Use
212 H Street NW	\$560 (seven months, at \$80 per month).	Manual training and cooking.
1201 K Street NE	\$1,680	Household arts.
2014 Franklin Street NE	\$360	Cooking and sewing.
1340 G Street NE	\$1,080	Atypical classes.
Wilson School portables (Lots 14 and 15, Square 2572)	\$900	Graded classes.
800 East Capitol Street	\$2,160	Atypical classes.
1606 M Street NW	\$455 (seven months, at \$65 per month).	Cooking and sewing.
810 Sixth Street SW	\$1,200	Atypical classes.
737, 739, 741 Eleventh Street NE	\$1,440	Do.
Brookland M. E. Church (two rooms and accessories)	\$360	Do.
Friendship Baptist Church	\$350 (seven months, at \$50 per month).	Randall Junior High School Annex.
Square 5203, Lot 817, east of Division Avenue and south of Sheriff Road.	\$80 (July to October at \$20 per month).	School gardens.
Lots 850, 865, 866, 867, and parts of 863 and 864 in Square 2882.	\$80 (July to October at \$20 per month).	Do.
Rear of 2606 Nichols Avenue SE	\$80 (July to October at \$20 per month).	Do.

Teachers	Rooms	School	Belonging per teacher	Ballou's figures
3	8	810 Sixth Street, atypical	3	4.8.
1	1	(Brookland) Fourteenth and Lawrence NE., atypical.	11	11.
3	6	800 E. Capitol Street, atypical	7	14, should be 8.7. ¹
2	5	1340 G Street NE., atypical	5.6	15, should be 6. ¹
		Friendship Baptist Church already vacated.		
		Wilson school portables is vacant lot.		

¹ Wrong totals in Doctor Ballou's tables. See page 547 of hearings.

EXHIBIT F

Recommended for immediate abandonment in Item 108 Rooms

John F. Cook, abandoned February, 1926	8
Threlkeld, used now for atypical classes; recommended for early abandonment in 1908	4
Abbot, now used for vocational school	9
Adams, provision for abandonment carried in estimates for 1928	8
Beret, used for special classes and offices of school officials	9
Bradley, in regular use	8
Force, to be vacated in part when the Adams-Morgan building is constructed, for which estimates are carried in the Budget for 1928	12
Jefferson, in regular use	20
Lincoln, in regular use	12
Webster, now used largely for Americanization schools; other buildings considered unfit for use	12
Bell, estimates submitted in supplemental deficiency bill	8
Chain Bridge, abandoned November 26, 1923	1
Hamilton, classes removed September 21, 1925	4
Smothers, abandoned November 30, 1923	4
Tenley, in regular use	8
Arthur, in regular use	8
Brightwood, used for junior high-school classes	8
Garnet, in regular use	12
Langdon, appropriation for abandonment made in Budget for 1928	10
estimates for abandonment	8
Patterson, in regular use	12
Randall, in regular use	12

One or both of the Garnet-Patterson buildings will be vacated and torn down if and when the Garnet-Patterson Junior High School is erected on that site.

1. John F. Cook: 8 rooms abandoned February 26.
2. Threlkeld: 4 rooms used for atypical classes. Average belonging, 7 per day. Under Ballou's table, 11 per day.
3. Abbott: 9 rooms. Vocational school, and children could go to Columbia Junior High. Average belonging for classroom, 12. Ballou's table, 13.
4. Adams: 8 rooms. Average belonging per classroom Force-Adams, 33. Ballou's table, 34.2. This school is to be taken care of by new Adams-Morgan school.
5. Berret: Used for special classes and offices for school officials. Should not be included. 9 rooms.
6. Bradley: 8 rooms. Near Government Printing Office and people want to keep it. Average belonging per classroom, 39. Ballou's figures, 39.8.
7. Force: 12 rooms. Average belonging per classroom, 33. Ballou's figures, 34.2. Not planned to build or to take care of its needs.
8. Jefferson Junior High: 20 rooms. Average belonging per classroom, 28, and Ballou's figures, 25.

9. Lincoln: 12 rooms. Average belonging per classroom, 34. Ballou's figures, 51.2, but should be 38.
 10. Webster: Used for Americanization schools, principally night work.
 11. Bell: Estimate submitted in supplemental deficiency bill. Eight rooms. Average belonging per classroom, 42. Ballou's figures, 44.6 (Cardosa-Old Bell).
 12. Chain Bridge: 1 room. Hamilton: 4 rooms. Smothers: 4 rooms. Already abandoned.
 13. Tenley: 8 rooms. Tenley-Janney: Average belonging per classroom, 31. Ballou's figures, 39.2, but wrong. Should be 32.
 14. Arthur: 8 rooms. Average number belonging per classroom, 33. Ballou's figures, 37.7, but wrong. Should be 34.
 15. Brightwood: 8 rooms. Partially used now but will be abandoned when Macfarland wing is finished.
 16. Garnet: 12 rooms. Provided for in this bill.
 17. Langdon: 10 rooms. Provided for in this bill.
 18. Patterson: 8 rooms. Provided for in this bill.
- See page 563 of the hearings. This table is as follows:

EXHIBIT G
Per capita costs in city schools, 1925-26—Cities of 100,000 population and more
(Prepared by the United States Bureau of Education)

GROUP I

Cities	Total current expenses	Average daily attendance	Per capita cost-total current expenses	General control			Instruction in day schools			Operation of school plant		
				Amount	Per capita	Per cent of total	Amount	Per capita	Per cent of total	Amount	Per capita	Per cent of total
Los Angeles, Calif.	\$21,695,415	166,941	\$129.96	\$1,063,457	\$6.37	4.9	\$17,370,735	\$104.05	80.1	\$1,782,699	\$10.68	8.2
Oakland, Calif.	4,337,868	40,620	106.79	115,703	2.85	2.7	3,655,032	89.98	84.3	323,954	7.98	7.5
Wilmington, Del.	1,183,584	14,170	83.53	41,003	2.89	3.5	954,290	67.35	80.6	91,125	6.43	7.7
Chicago, Ill.	42,430,352	415,703	102.07	1,662,573	4.00	3.9	31,966,318	76.90	75.4	4,218,152	10.15	9.9
New Bedford, Mass.	1,559,963	16,653	93.67	48,874	2.93	3.1	1,249,368	75.02	80.1	173,764	10.44	11.2
Newark, N. J.	7,677,463	65,459	117.29	295,215	4.51	3.9	6,205,357	94.80	80.8	645,293	9.86	8.4
Trenton, N. J.	1,855,596	16,667	113.33	85,402	5.12	4.6	1,417,934	85.07	76.4	172,434	10.35	9.3
Albany, N. Y.	1,321,613	11,786	112.13	20,609	1.75	1.6	1,029,207	87.32	77.9	159,008	13.49	12.0
Buffalo, N. Y.	9,435,715	67,650	139.48	139,905	2.07	1.5	6,767,900	100.04	71.7	1,080,528	15.97	11.5
Dayton, Ohio	2,531,320	24,132	104.89	99,132	4.10	3.9	1,820,565	75.44	71.9	221,711	9.19	8.8
Philadelphia, Pa.	21,814,064	231,126	94.38	913,039	3.95	4.2	16,660,805	72.09	76.4	1,661,229	7.19	7.6
Pittsburgh, Pa.	10,326,698	84,301	122.49	397,037	4.71	3.9	7,191,345	85.30	69.6	1,230,763	14.60	11.9
Reading, Pa.	1,343,051	15,702	85.53	67,294	4.29	5.0	996,617	63.47	72.2	153,508	9.78	11.4
Washington, D. C.	7,467,387	61,778	120.87	152,817	2.47	2.0	5,928,209	95.96	79.4	733,428	11.87	9.8

Cities	Maintenance of school plant			Coordinate activities and auxiliary agencies			Fixed charges		
	Amount	Per capita	Per cent of total	Amount	Per capita	Per cent of total	Amount	Per capita	Per cent of total
Los Angeles, Calif.	\$656,803	\$3.93	3.0	\$687,405	\$4.12	3.2	\$134,316	\$0.81	0.6
Oakland, Calif.	131,842	3.24	3.0	62,957	1.55	1.4	48,380	1.19	1.1
Wilmington, Del.	79,702	5.62	6.7	12,276	.87	1.0	5,188	.37	.5
Chicago, Ill.	2,145,472	5.16	5.1	1,576,108	3.79	3.7	861,729	2.07	2.0
New Bedford, Mass.	55,097	3.31	3.5	32,860	1.97	2.1			
Newark, N. J.	264,602	4.04	3.4	257,022	3.93	3.4	9,974	.15	.1
Trenton, N. J.	107,669	6.46	5.8	51,394	3.08	2.8	20,763	1.25	1.1
Albany, N. Y.	25,077	2.13	1.9	36,295	3.08	2.7	51,417	4.36	3.9
Buffalo, N. Y.	786,321	11.62	8.3	186,251	2.76	2.0	474,810	7.02	5.0
Dayton, Ohio	230,672	9.56	9.1	89,521	3.71	3.5	69,719	2.89	2.8
Philadelphia, Pa.	932,041	4.03	4.3	619,436	2.68	2.8	1,027,514	4.44	4.7
Pittsburgh, Pa.	1,103,502	13.09	10.7	126,486	1.50	1.2	277,565	3.29	2.7
Reading, Pa.	47,759	3.04	3.6	38,781	2.47	2.9	39,002	2.48	2.9
Washington, D. C.	504,032	8.16	6.8	75,652	1.22	1.0	73,249	1.19	1.0

Only 3 higher per capita cost than District of Columbia.
Only 2 higher instruction cost than District of Columbia, the largest item.
Only 3 higher operation; all in colder latitude.

Only 3 higher maintenance.
All of above have a debt. This is not included in cost.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. GRIFFIN. Mr. Chairman, I will now use the balance of my time if that is agreeable to the gentleman on the other side.

The CHAIRMAN. The gentleman has 12 minutes remaining.

AS TO THE HIGH SCHOOLS

Mr. GRIFFIN. Mr. Chairman and colleagues, I did not touch on the high-school question in my first discussion of this matter, and I will take advantage of the opportunity now to discuss that matter in closing on this side of the debate. I do not hesitate to say that I stand for the board of education and for the pupils of the city of Washington. I am absolutely impersonal about it. I never met Doctor Ballou until he appeared before our committee a year ago; I never met him again until our hearings began on this bill, and I have not seen him since the hearings concluded. I have no interest whatever in persons, and my attitude on this proposition rests entirely upon the facts—the main, essential, material facts—that were brought out in the hearings.

Of course, I did not have the benefit of the advice and counsel of Doctor Phillips or Mrs. Bannerman. I did not seek the aid or assistance of outside sources. I feel that so long as

Doctor Ballou is at the head of our schools he is entitled to respect; he is entitled to deference, and we ought to accept his figures until they are shown to be wrong.

Now, in the matter of allocation of teachers, I have shown you that there are 701 classes in the public schools of Washington that are overcrowded, exceeding the maximum number of pupils that ought to be taught by any one teacher. What is a man to do with a situation like this? This is a real problem, not a mere sum in arithmetic to be worked out by a rule of thumb, such as "divide the total number of teachers into either the total or average enrollment and say that there ought to be so many pupils in a particular class," or to say "we will shift part of the children in one school over to another." It is all right to do that in your imagination, but in practice you can not do it.

If you will look at the list of classes as given in the hearings you will find it is true that in some of the higher schools there are 17 or 20 or 21 pupils per class and per teacher. This is inevitable. In the outlying and new districts there must necessarily be a small number of pupils per teacher and per class.

Mr. SIMMONS. Will the gentleman yield there?

Mr. GRIFFIN. Pardon me, I can not yield.

The difficulty with regard to the elementary schools is augmented when you come to deal with the normal schools, the high schools, and the junior high schools. They are institutions. They are planted in a certain neighborhood that has a certain school population. They are compelled to draw upon the school population in that section. Look at these figures. They are not so outrageous as my friends on the other side of this question would have you believe. Take the normal schools. The number of pupils per classroom teacher I find in the white schools is 21, but in the colored schools it is 27.3. In the senior high schools the average number of pupils per classroom teacher in the white schools is 20.2, but in the colored schools it is 24.6. In the junior high schools the average number of pupils per teacher is 20 in the white schools and in the colored schools it is 24. In the elementary schools the average number of pupils per teacher is 34.1, but in the colored schools it is 36. In the vocational schools the total number of pupils per teacher in the white was 13.8 and in the colored 15.8. That is to be expected. It is a difficulty inherent in the very special character of such schools.

Mr. HOUSTON. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. HOUSTON. How many classes in the fifth grade, how many in the seventh grade, how many in the ninth grade? Does the gentleman have that?

Mr. GRIFFIN. No; that is one pool the committee did not fish in.

Mr. HOUSTON. Does the gentleman consider that as very important?

Mr. GRIFFIN. That is very important and I am going to touch on that. Here is the difficulty in dealing with the junior high school and the senior high school. You must prepare your teaching staff for high schools to take not only the children that graduate from the junior high school into the senior high school, but remember that children from the seventh and eighth grades of the elementary schools may be jumped directly into the high schools. There is first, the ordinary process of promotion from the junior into the senior high schools. Then there is the process of jumping the children from the elementary schools, from the seventh and eighth grades of the elementary schools, and then the ordinary promotions seventh grade of the junior high, into the senior high school. Pupils are graduated and go directly from the elementary school into the high school. All of this has to be provided for.

Our hearings were held in an interim between school terms. The Board of Education has to confront the promotions in February and that is when the adjustment and readjustment of pupils will be made. They have to be prepared to take hundreds of children from the elementary school and put them into the senior high school, from the junior high school into the senior high school and readjust them. We want to be sensible about it. We ought to be reasonable, and we ought to give the man on the job the credit of knowing his business.

Mr. HUDSON. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. HUDSON. It seems to me that the discussion so far has been with reference to the number of teachers. Ought you not to consider the quality of the teachers?

Mr. GRIFFIN. We have nothing to do with the quality of the teachers, we have to take certain things for granted.

Mr. HUDSON. You do have something to do with the quality of the teachers for you appropriate for graded salaries.

Mr. GRIFFIN. That is something over which we have no control and that is not a live issue. The material point is this; whether the Board of Education shall have the 74 additional teachers they ask for. No one as yet has questioned the qualifications of the District school teachers. I think they are as good as can be found anywhere. The additional teachers are needed to take care of the promotion of the children from the elementary schools into the high school; they are needed to do away with the part-time classes; they are needed to get rid of those classes where the attendance is greater than the capacity of the single teacher to teach.

Mr. HUDSON. Will the gentleman yield further?

Mr. GRIFFIN. Yes.

Mr. HUDSON. The gentleman's colleague spoke of 400 additional teachers, or itinerant teachers.

Mr. GRIFFIN. Three hundred and fifty-one, as a matter of fact.

Mr. HUDSON. Are not some of those available for the additional rooms?

Mr. GRIFFIN. No; for the reason that they are special teachers—domestic science, music, and the like.

Mr. HUDSON. Does the gentleman mean to say that all of the 351 teachers are specialists?

Mr. GRIFFIN. I stated in my remarks some time ago that there are 10 librarians, 228 special teachers, 51 supplemental teachers who are substitutes, and so forth. They are not available for regular classes. They are either traveling teachers teaching special subjects or substitutes going around filling vacancies.

Mr. SCHAFER. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. SCHAFER. The gentleman stated that the Board of Education prepared these figures. Who opposed the granting of them?

Mr. GRIFFIN. Well, the Parent-Teachers Association said they did not need them.

Mr. FUNK. The gentleman from New York wants to be fair—he spoke of these part-time classes. The gentleman must have overlooked the fact that there is an appropriation available for the employment of 36 teachers not now employed?

Mr. GRIFFIN. I have mentioned that.

Mr. FUNK. If there is any criticism because of part-time classes, that fact is to be attributed to lack of schoolroom facilities rather than the lack of teachers.

Mr. GRIFFIN. That is another element.

Mr. FUNK. There is an appropriation for 36 teachers not now being used, and if there are any part-time classes it is due to the lack of schoolroom facilities.

Mr. GRIFFIN. That is another reason.

Mr. FUNK. And Congress can not be criticized for lack of schoolroom facilities because we have appropriated at a greater rate than the buildings are being completed.

Mr. GRIFFIN. Except as to this, that this appropriation is for the next fiscal year, when many of these schools will be ready for occupancy, and there will be an opportunity to put the extra teachers into them.

Mr. FUNK. The gentleman wants to be fair.

Mr. GRIFFIN. That goes without saying.

Mr. FUNK. The gentleman knows that in this list of Doctor Ballou, in his request for 74 additional features, he has included three schools, plans for which are not even prepared.

Mr. GRIFFIN. That is true.

Mr. FUNK. To say nothing of preparing specifications.

Mr. GRIFFIN. But there are five others, as to which there is no reasonable doubt that they will be ready.

Mr. FUNK. And inviting bids and taking from one to two years to complete the school.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. OLIVER of Alabama. I read on page 537 this question asked by Mr. COLLINS:

You had authority last year to appoint 2,690 teachers, as I understand it, and you actually had, 30 days ago, 2,445. Now, you are asking for 2,800, are you not?

Doctor BALLOU. No; I think not.

Mr. COLLINS. What number are you asking for?

Doctor BALLOU. We have in the 1927 appropriation provision for 2,666 teachers and librarians, and there is an estimate before you for 74 more teachers, which would not make 2,800. That would be 2,740.

Then, later, explaining why these were not employed 30 days ago Doctor Ballou says:

We have some salaries which are not yet being used, provided for in the appropriation bill for 1927. We open next month the Stuart Junior High School and other schools and there was an estimate submitted last year for the necessary additional teachers for these buildings, and the salaries were provided for that purpose.

In other words, that these schools will probably be opened during the month of February.

Mr. GRIFFIN. That is what they say; yes. There are 10 schools altogether, 4 of which will be opened in this fiscal year and 6 are promised completion during the term of the appropriation we are now considering.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FUNK. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Chairman, before taking up the subject that I intend to use my time for, I wish to refer very briefly to the speech of the gentleman from Kentucky [Mr. JOHNSON] this morning, in reference to the so-called Andrews prohibition enforcement bill now before the Committee on Ways and Means.

He made a very enlightening address upon the subject. Unfortunately, however, the bill to which he was referring had been so far emasculated in the process of its consideration by the Committee on Ways and Means that I do not think he would recognize the bill if he had a confidential print as it exists to-day. Another thing. There have been two or three lengthy speeches made here in the last few days in reference to that bill. I think the Members have been rather begging the question, because, if I am any prophet of the possible action of the committee to-morrow, that bill will never come into this House for consideration. [Applause.] I say that as one who intends to vote against its being brought into this House for consideration.

I shall give two reasons why I am opposed to the bill. In the first place it is offered as a prohibition-enforcement measure by General Andrews, who is very sincere in his work. It is a peculiar circumstance that those interested in the dry side of this question have given this bill the most cursory support. There has been but one person before the Committee on Ways and Means connected with any temperance organization in behalf of the measure. A few letters have been presented that one could secure for indorsement almost any time. You know you can get up a petition to hang your own brother if you want to and get signers to it. That is the kind of support that has been brought before the Ways and Means Committee for this prohibition-enforcement measure. The best supporters, aside from General Andrews, are the holders of whisky certificates who desire to dispose of them at advantageous prices. Then again, I am not willing to be one of those to vote to set up and authorize a private corporation, establishing a monopoly, a strong legal monopoly, by governmental authority, and then so financing the measure that the capital stock that will control the company after seven years passes into the hands of probable speculators, for which stock not a dollar has been paid. That is the high financing that exists in this bill, and that combined with the fact that there does not seem to be much support for it from the prohibition end is my reason for saying in advance that to-morrow, when we consider this bill in the Ways and Means Committee, I shall be one of those to vote against its being reported out.

Mr. HUDSON. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. HUDSON. Does this bill provide that any of those who shall buy the company are distillers?

Mr. TREADWAY. Oh, no; the purchasers of the stock in the open market will own it. If the gentleman cares to know in just a word about the financing of the company, I would say that originally the bill authorized the Government to subscribe to \$35,000,000 of gold notes of the company. That we have cut out. The Government furnishes no capital, and I do not believe in any bill that does furnish capital by the Government for engaging in the whisky business. The gentleman from Illinois [Mr. WILLIAM E. HULL] has submitted a bill where the Government furnishes the capital. I think the sentiment of the country is opposed to the Government furnishing capital for either the sale or the manufacture of medicinal whisky. The next step is that after the \$35,000,000 of gold notes are canceled comes the stock which is open for public subscription in the market. You buy one share of preferred stock and they present you with a share of common, and in seven years' time it is expected that the preferred stock will be paid off and the common will, therefore, own the company. There are many other things in connection with it that if I had time I should be glad to explain to the House.

Mr. LaGUARDIA. And the stock would be transferable?

Mr. TREADWAY. Yes.

Mr. LaGUARDIA. It could get into the hands of the bootleggers.

Mr. TREADWAY. Yes; and they would be wise to buy it up.

Mr. WELLER. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. WELLER. Do I understand that there is a confidential print of the bill that is available for Members of the House?

Mr. TREADWAY. No; simply a suggested bill that the committee has been considering.

ANTHRACITE COAL

Mr. Chairman, for several years I have been very much interested in any possible legislation that Congress might see fit to enact in reference to the regulation of coal, particularly anthracite coal.

I did not expect to make any remarks on this subject during the last few weeks of this session, but I am tempted to do so by remarks made on Thursday by the gentleman from New York [Mr. BLACK] wherein he impugns the sincerity of the leaders of this House. He said that if the President was

sincere and the floor leader and the steering committee and the Committee on Interstate and Foreign Commerce were sincere in wanting coal legislation, it would be brought forward and passed. Now, I differ with the gentleman on that particular. I am not going to get into further political discussion on that subject, because I am one of those whose object in coal discussion has been entirely along the line of trying to get a better price to the consumer.

That has been by object, and my efforts have been along that line; but I will say the gentlemen referred to by the gentleman from New York [Mr. BLACK] were sincere in their efforts to get a bill out of the Interstate and Foreign Commerce Committee. Here is my explanation of why they were unsuccessful: There are two classes of membership in that and all other committees, and as I consider the membership of the Interstate Commerce Committee I note some of its members are sincerely and honestly opposed to any governmental regulation of corporations or monopolies. There is another class that is directly interested in killing this legislation. Several gentlemen on the committee represent sections where bituminous coal is mined, and they, together with the subtle, quiet, and effective work that all know can be done by corporations and the so-called big interests when it is necessary to do it, have been at work. Those are the men and those are the reasons why we have not a coal bill before us at this time. Just one other thing in connection with the gentleman's remarks. It is a well-known fact that the vote against adopting the so-called Parker bill was 16 to 6. If this were such a good measure and there was sincerity of action on the part of members of the committee, and they were subject to political influence as the gentleman inferred the Republicans were, why did not he, with his influence on the Democratic side of the House, get more than 2 votes in the committee from the Democratic members to report out the Parker bill?

Mr. BLACK of New York. Will the gentleman yield?

Mr. TREADWAY. Very briefly.

Mr. BLACK of New York. If the President with his influence can not get a couple of votes on the Republican side, why what chance would I have?

Mr. TREADWAY. I know why the gentleman could not get Republican votes, but I do not know why the gentleman could not get Democratic votes. Bills can be reported out of a committee with the assistance of Democratic votes.

Mr. SCHAFER. Will the gentleman yield?

Mr. TREADWAY. I can not. I must use my remaining time. In connection with my interest in the anthracite situation I want to say that I hope before another session we can so frame a bill that even the bituminous people will say, "All right, go to it. We want to help the consumers of the anthracite coal in New England and Northern States to secure their fuel at a fair price and approve this measure." The gentleman from Pennsylvania [Mr. WYANT] will bear me out in saying I could not get started in my first coal speech several years ago without assuring him in his continued interruptions that I did not refer to bituminous coal, but I was referring to anthracite, and he insisted upon having such assurance before I could proceed.

Mr. WYANT. If the gentleman will permit, I want to assure the gentleman I will not further interrupt in his next coal speech.

Mr. TREADWAY. Now we can not go into these details, and I am not going to rehearse the want of coal legislation, but I do want to call attention to the price of anthracite coal at present and in a few years back. These are rather illuminating figures, and I think will bear out my claim that we need an impartial tribunal to which the coal consumer can appeal. In March, 1913, anthracite coal was selling retail in Boston at \$7.50 to \$7.75 per ton. In March, 1924, following the so-called settlement by the then governor of the gentleman's State of Pennsylvania, the price jumped to \$15.50 a short ton. I do not blame any of you gentlemen for not countenancing him. In March, 1925, the price was \$16. In November, 1925, the price was \$17, and in November, 1926, the price was \$16.50.

Now what is the explanation of those figures? Here is the explanation, gentlemen: That the consuming public had nothing to do whatsoever with the settlement of that strike or with the settlement of the one that occurred last summer. The cost was put on us poor consumers of anthracite, and you can not give any other explanation for it. Further than that, in the strike of last year the terms of that settlement provided that the miners should return to work for the same pay as they had received at the time of the strike.

Now why should 50 cents or \$1 be added to the price paid by the consumer unless it was to make good the loss suffered by the owners of the mines during the period when the strike was

on? The miners did not get a cent of that extra price. It all went into the pockets of the operators.

Mr. BLACK of New York. Does the gentleman know how much the coal operators contributed to the Republican campaign?

Mr. TREADWAY. Oh, the gentleman should get politics out of his head in the consideration of this subject.

Mr. BLACK of New York. Does the gentleman—

Mr. TREADWAY. Oh, I decline to yield further along that line. The gentleman wants to make a political talk. I want to help in getting a reduction in the cost of anthracite.

Now, I want to refer to the settlement of the anthracite strike last year. We are told that there can not be any strike in the anthracite mines for another five years from the time the agreement was entered into. Here is the agreement furnished me by one of the gentlemen interested in the coal business in Pennsylvania, signed on behalf of the anthracite operators and on behalf of the United Mine Workers of America of that district. There is no indication that anybody connected with the consuming public agreed to these terms.

What are the terms? They are these: If an operator or miner within a period of one year wants a change, all they have to do is to give notice of the change and then get together and act upon that change, and if they can not agree they name arbitrators. Where does the public that pays the bill come into that arrangement?

Let me say this in passing, that the principal reason why there is this difference between the bituminous and anthracite coal business is that the bituminous mines are scattered largely all over the country, whereas the anthracite mines are located in a particular locality in Pennsylvania, and therefore the anthracite is a natural monopoly, a monopoly that the people ought to have something to say about, rather than the coffers of the owners of those mines. [Applause.] That is the difference between the two things, the bituminous and the anthracite.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WYANT. Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts be given the extra time he desires in which to finish his remarks.

Mr. TREADWAY. I thank the gentleman. I understood all the time is exhausted. But could I have one minute more, Mr. Chairman?

Mr. FUNK. Yes; I yield to the gentleman one minute.

Mr. TREADWAY. I intended, Mr. Chairman, to refer to an interview given out by the gentleman from Maine [Mr. NELSON], a member of the Committee on Interstate and Foreign Commerce who favored the Parker bill. I wish to incorporate in my remarks the statement that was made by him along that line.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Mr. TREADWAY. To again refer to the defeat of the Parker bill, our friends from Pennsylvania and the bituminous fields tell us of the tremendous quantity of bituminous available should a strike occur on the expiration of the Jacksonville agreement April 1. I should have more confidence in their assurances of the maintenance of bituminous prices had they not taken such terrible advantage of the anthracite strike in 1925. The prices at that time showed that the owners of bituminous will take advantage of the public just as readily and as quickly as will the owners of anthracite.

On previous occasions reference has been made to the elements going to make up the high price of anthracite in the market. I will not take the time of the House to refer to those reasons. Some of them I recognize are beyond the control of Federal action and are within the power of regulation by the State of Pennsylvania. The Parker bill would establish a means of disseminating information upon the various elements of cost. If the extortions practiced by the Girard Trust Co. under the laws of the State of Pennsylvania should have continuous publicity through such a board, I predict it could not withstand the resulting public criticism, and that eventually the laws of the State would be amended, and the Girard Trust would accept reasonable and fair royalties.

My claim has always been that the consumers' interests are paramount to those of the other two parties and that the Government must intercede to see that justice is done to the most interested party in the issue. If the cause of the operator and miner is so just and neither is getting a higher return, one for his labor and the other for his capital invested than is fair and equal, why is neither party willing to have the light of publicity and statistical information provided to the public,

the party mostly at interest and the one to whom both the others look for their financial returns?

I want, before closing, to call attention to an interview that the gentleman from Maine [Mr. NELSON] gave following the action of the committee, of which he is a member, in failing to vote out the so-called Parker bill. Among other things, he says in this interview:

Inviolability of purely private business matters is a common-law right protected by the constitutional guaranty of the fourth amendment, but coal is quite as much a public necessity as electricity, street railways, or any other commodity or service now subject to public regulation. Its production is directly related to the operation of the instrumentalities of interstate commerce. The Supreme Court has already held that Federal control of grain trading could not be questioned after Congress had declared that such trading was affected with public interest. To a much greater extent does such interest attach to the coal business.

I believe that the Constitution gives Congress full power to meet the situation and that the people expect us to exercise that power. I feel that the committee could have framed a regulatory law that would have protected the rights of all citizens engaged in the coal industry and at the same time have maintained the inherent rights of the great majority not to be starved or frozen to death at the will of any portion of our people.

The people can not help themselves—

He says—

It is the duty of Congress to write legislation protecting the people's interests.

And—

He emphasizes—

If this legislation which has just been killed in committee dies with this Congress, as there is small doubt that it will, then the next session may see an aroused and suffering people demanding a drastic regulation of the coal business, which will be inadvisable and retaliatory.

Mr. FUNK. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LaGUARDIA].

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. LaGUARDIA. Mr. Chairman, I want to say that the closing remarks of the gentleman from Massachusetts [Mr. TREADWAY] would have seemed natural coming from the gentleman who is now on the floor, rather than from the gentleman from Massachusetts, a conservative Member from a conservative State of New England.

Mr. TREADWAY. If the gentleman is as anxious for a fair price to the consumers of anthracite coal in the city of New York as I am for the consumers in the State of Massachusetts, we are in accord.

Mr. LaGUARDIA. Yes.

Mr. TREADWAY. On that subject.

Mr. LaGUARDIA. On that part of the subject. It was brought out this morning by the gentleman from Kentucky [Mr. JOHNSON], reading remarks supposed to have been made by the Director General of Prohibition, that gentlemen of the House who were opposing the present undercover system were only seeking to hamper the enforcement of the law. I want to take this opportunity to refute that statement. I have not only referred to Mr. Andrews violations of the law, but I have referred to him violations of the law committed by his own men. First you will all remember he sought to justify the unlawful conduct of his men in New York and he, or some one in the department, prevailed upon the Secretary of the Treasury to sign a letter to the Committee on the Judiciary of the House in response to my Resolution 352 in which letter the department glorified the undercover system and justified the particular unlawful, indecent conduct about which I was complaining. Now that the Secretary of the Treasury has learned more about the facts, he was necessarily compelled to disavow the crimes committed by his agents, to repudiate the Bridge Whist Club of New York, the pool room of Norfolk, Va., the distillery of Elizabeth City, N. C., and the wire tapping in New York State, and all the blackmail and extortion which followed.

But gentlemen I gave you correct facts. Every charge that I have made has been absolutely substantiated by Treasury Department documents contained in the department's report, now known as Senate Document No. 198, Sixty-ninth Congress, second session.

Every charge that I made against Chester P. Mills is either a matter of court record or acts and conduct of which proof has been submitted to the Treasury Department, including photostats of the checks which I charged Mills had given and which were not honored by the bank. I am going to put in the RECORD right now a letter which I wrote in response to a letter

from Secretary Andrews asking for more facts. My original charges will be found in the CONGRESSIONAL RECORD of January 20, 1927. Mr. Andrews is hampering law enforcement himself by not discharging this man Chester P. Mills. I demand action on my charges and I am going to keep giving the country information of the outrageous conduct and action on the part of the New York unit under this man's management. Here is the letter:

JANUARY 27, 1927.

Gen. LINCOLN C. ANDREWS,
Assistant Secretary of the Treasury,

Washington, D. C.

MY DEAR GENERAL ANDREWS: I have your letter of January 18, 1927, relative to the charges preferred by me against one Chester P. Mills, prohibition administrator, New York City. You ask for certain information, which you would have if your bureau in New York City was but 10 per cent efficient. I am a legislator and not an undercover man. In all necessary future communications with this office please bear that in mind. I am not so naïve as to disclose information under the present administration in New York City. I state frankly that I do not trust the officials there now, and as soon as information would be given it would leak out, and the denatured-alcohol mongers would cover their tracks.

If the New York City office reports that it has no knowledge of diversion of denatured alcohol, it is such a confession of incompetency, utter lack of knowledge of conditions, and such an entire breakdown of law enforcement that no further charges should be necessary. Clean out that office as it should be cleaned, assign me six auditors from the Internal Revenue Service, and let me pick six Department of Justice men and I will show you diversion of denatured alcohol that will make this country gasp.

As to the second charge in my letter of January 10, 1927, to the Hon. Andrew W. Mellon, the court records at least have not been tampered with, and that will give you an inkling of what your administrator in New York has apparently failed to truthfully report.

As to the charge contained in paragraph 3 of my letter, the admissions contained in Secretary Mellon's letter to the Committee on the Judiciary dated January 6, 1927, in response to House Resolution No. 352, together with the admissions contained in the department's report in response to the resolution of Senator REED of Missouri, bears out my charge to the letter. You can not escape that. Administrator Mills's statement given to the press that he had no knowledge whatsoever of the Bridge and Whist Club is either manifestly so untruthful as to disqualify him from further continuance in office or else again he has demonstrated his incompetency and unfitness to perform the duties of his office. If his statement is not true, no further argument is necessary. If he had no knowledge that the Bridge and Whist Club was a Government operation, then why was the place not raided? Everybody in New York knew that the place was operating. It was brazenly open in its operation. If he did not know it was a Government-operated place, why did he not send his agents there? Why did he make no report about it? Why was no action taken? How can you continue in office a man who publicly states that a notoriously bootlegging establishment operating for over six months, known all over the city, was not known to him until after he read about it in the papers? You can give Mills either end of his defense in this matter, but you can not get away from his utter unfitness.

There has been conspicuous silence in reference to the Barrymore Club, contained in my fourth charge.

As to the charge contained in paragraph 5 of my letter of January 10, 1927, reference to Charles August Smith, that is a complete court record, first, the perjury, then the arrest, followed by the indictment, plea of guilty, conviction to 60 days' imprisonment, commitment, time served, reemployment, and yet you ask for additional information. This looks more like a "cover over" than an impartial investigation.

As to the charge contained in paragraph 6 of my letter, Michael Kelly's discharge from the police department is a matter of record; his employment by your department is likewise a matter of record. Yet you ask for additional information.

As to the charges contained in paragraphs 7 and 8 of my letter, the case of John C. Schilling is also a matter of record. The fact that he was found selling liquor is a court record. The fact that he was put under a personal injunction is also a court record. The fact that he was brought back to court for disobedience of the injunction against selling liquor is a matter of record. The fact that A. Bruce Bielaski appeared in his defense and that it was testified he was in the employ of your department is also a matter of court record. Yet you ask me for additional information.

As to the charge contained in paragraph 9 of my letter, the fact that R. M. Hodgert was in your employ can be found in your own records. The fact that he was arrested is a matter of court record in the city of New York. The fact that the Government appeared in his defense is a matter of court record. The fact that he beat a hotel bill shows his character and unfitness to hold Government office. Notwithstanding, your own subordinates testified in his behalf. His trial has

cost the Government thousands of dollars. And yet you ask for additional evidence.

As to the charge contained in paragraph 10 of my letter, the discharge of William R. Hughes from the Coast Guard Service is a matter of record in your own department. The fact of his reemployment is also a matter of record in your own department. And yet you ask for additional information.

As to the charge contained in paragraph 11 of my letter of January 10, 1927, they are all matters of record in your own department. The vouchers must be approved by the said Chester P. Mills, as well as be approved by a higher official in Washington. In the light of that, how can you ask for additional facts to sustain the charges?

As to the charge contained in paragraph 12 of my letter, that, too, is a matter of court record. Application was made to the court for the release of the automobile referred to in my letter. The automobile was released after the entry of an order by the court. The automobile was delivered to the farm of Chester P. Mills in Connecticut by two agents of your own department. It was never used, until the matter became public, for any other than for the private use of the family of the said Mills. Surely you can not reasonably ask for any additional information to sustain that charge.

As to the charge contained in paragraph 13 of my letter, no one knows more about the liquor being found in the automobile and the flimsy excuse given than you do yourself. You either have to justify and accept the flimsy excuse and publicly admit that the excuse was so flimsy as to be ridiculous, or else take proper action in the matter.

As to the charge contained in paragraph 14 of my letter, the matter of the purchase of gin and the giving of worthless checks therefor is also a matter of record in your own department. These checks were shown to you. You have personally seen them and yet no action has been taken. Whether it is liquor or anything else, a man who will give a no-good check in consideration for a purchase is of such character as to be unfit to hold a responsible Government position. And yet you ask for additional information.

In a few days I shall submit additional charges to the Secretary of the Treasury against the said Chester P. Mills which I had not entirely checked up at the time I submitted my first set of charges. And more to follow.

I am, sir,

Respectfully yours,

F. LA GUARDIA.

I have not only called attention to direct violations of law committed by Chester P. Mills, or under his directions, but I have also stated on this floor and I repeat now, that these spectacular stunts are conducted as a pretext of efficient law enforcement, while flagrant and wholesale violations of law are going on under the very nose of the New York officials either with their consent or with their connivance.

If Mr. Chester P. Mills would devote more time and effort to an intelligent and honest administration of the law in New York, he would not have so much time to give vent to his personal feeling in conducting a campaign of persecution against the Jews of that city or to indulge in the Treasury Department's favorite indoor sport of conducting unlawful dives and joints to entrap people into violating the law.

Within 15 miles of Times Square a brewery is running full force and carloads of real high-power beer containing from four to four and a half per cent alcohol leaves the brewery every night from 6 p. m. until the early hours of the next morning. As high as a thousand barrels have been shipped out of that brewery in two nights. The activities of this particular brewery have been called to the attention of Chester P. Mills by mail and by telephone. People can draw their own conclusions why no action is taken against a wholesale violation, and yet individual rabbis who have committed no wrong are summoned before officials of the department or sent down to the United States district attorney and given the third degree for hours at a time. While this brewery is operating agents were directed to cover a brewery in Brooklyn that was keeping within the law and when agents could not get anything on this particular brewery, other agents were sent there to frame a case and instructed to get the Brooklyn brewery by hook or crook.

Another splendid example of Mr. Chester P. Mills' efficiency and his handpicked agents, is the situation in Rockland County, New York State, where he has a prohibition agent whose father operates and conducts a saloon, and when Mr. Mills's agent raids a place, if it is found to have papa's goods everything is all right and if there is no "papa's goods" there, the offender is told where to buy his supply. If he does, he is let go. If he does not, he is pulled in.

Mr. HUDSON. Mr. Chairman, will the gentleman yield?

Mr. LA GUARDIA. No; I can not yield.

Mr. HUDSON. You have put the name of Mr. Mills in the RECORD. Also put in the name of the agent.

Mr. LAGUARDIA. All right. Adler is the name of the agent. Is the gentleman satisfied now?

The prohibition office in New York has become a farce and it is impossible to find a fair-minded citizen in the city who has any respect or confidence for that office under its present management.

While this is going on, as a side line, this man Mills has conducted a campaign of persecution against the Jews. There is no group of people in the whole world who, as a group, are less addicted to drink than the Jews. Their custom, tradition, and history bear that statement out. Mr. Andrews displayed a confused state of mind when he testified before the Committee on Appropriations concerning the diversion of sacramental wines. Mills seemingly took the cue and perhaps nourishing personal prejudice, commenced harassing rabbis authorized under the law to withdraw wines for sacramental purposes. A system of calling them up to the prohibition office and then sending them down to the district attorney's office and having them questioned and harassed for hours has been going on several months. The present oppression of the Jewish people began some time last summer when Mills began sending for rabbis and took away their permits and made them agree to certain observances which restricted their use of wine contrary to the provisions of law and prevented the proper use of wine by their congregation for sacramental purposes. This oppression was not only exerted against the rabbis but against persons who properly held permits for the sale of wine on proper papers from rabbis. After conducting this campaign of oppression for weeks, Mills had it transferred to the office of the district attorney, and after third degreeling scores and scores of rabbis, three were finally indicted. When the case was brought to trial it was so flimsy and the frame-up so apparent, that it was dismissed by the judge at the end of the Government's case. I repeat that there is less drinking going on in circles of orthodox Jews where sacramental wine is used than in any other group in this country. Yet only two weeks ago in accordance with this campaign of oppression agents broke in on a wedding and just as the rabbi was performing the ancient custom of breaking the glass of wine, agents rushed in, broke up the sacred ceremony and sought to make an arrest.

Mills has been vile in his denunciation, profane in his description, and cruel in his persecution of these good citizens. The conduct of the prohibition department in New York toward the Jews has been so oppressive and unjustified as to make the Rumanian anti-Semitic campaign appear as a fellowship of mankind movement. [Laughter and applause.]

Whenever the suggestion is made that I am seeking to hamper the enforcement of the prohibition law I will come here and give specific instances where the law is not being enforced and where actual knowledge is brought home to the enforcement official.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FUNK. Mr. Chairman, I yield the time remaining to myself.

The CHAIRMAN. The gentleman is recognized for 43 minutes.

Mr. FUNK. Mr. Chairman and gentlemen: In closing the general debate on the District appropriation bill I wish to refer briefly to the subject that has consumed the largest part of the general debate which has pertained to the bill itself, and that is as to the question of 74 additional school-teachers. Of course, the committee gave due and proper consideration to the statements and recommendations made by Doctor Ballou, superintendent of schools, but I say to you frankly that he did not present his figures or his statistics in such shape that the committee, or at least a majority of the committee, four out of five of the committee, felt justified in granting his request for 74 additional teachers. We accord him all the respect he is entitled to but I give great weight and great consideration to the views of my two colleagues, the gentleman from Nebraska [Mr. SIMMONS] and the gentleman from Mississippi [Mr. COLLINS], both of whom are parents of scholars in the elementary schools of the District, and I take it those gentlemen are as vitally interested in the welfare of the schools and their proper maintenance as anyone else in this city. It is their unbiased and conclusive opinion that this item for 74 additional teachers was not justified.

Mr. Chairman and gentlemen, I want to give a brief resumé of the principal items in this bill, and I will detain you but for a few moments.

May I say at the outset that in addition to making a careful study of the recommendations which came to us through the Bureau of the Budget for financing the activities of the District of Columbia during the ensuing fiscal year the members of the subcommittee charged with the preparation of this bill went very

carefully into all of the essential features with the responsible officials of the local government and gave audience to practically every individual and association which sought an opportunity to bring germane matters to the committee's attention. In addition, I might say that members of the subcommittee before undertaking the hearings spent considerable time personally inspecting many and all of the important projects encompassed by the bill. Also, Mr. Chairman, I wish to acknowledge, on behalf of the committee, the fine cooperation we had from the gentleman from Vermont [Mr. GIBSON], who is doing a splendid work, in conjunction with other members of the District Legislative Committee, in ascertaining where improvements might be made in the conduct of the affairs of this municipality. I think the thanks of the House is due these gentlemen. There is much good that they can accomplish.

The bill here presented, taking it as a whole, is a good measure in practically every direction and one which I feel confident has the support of a great majority of the local citizens. The committee was given to understand by the head of the Citizens' Advisory Council, which is a body made up of representatives from each of a number of sectional citizens' associations, that the Budget estimates are practically in accord with the estimates presented to the commissioners by the Citizens' Advisory Council. In fact, the two submissions were but \$55,000 apart. This would indicate, I take it, that the citizens of Washington have a very large voice in shaping their city's fiscal program.

The committee, Mr. Chairman, has not wandered far from the Budget proposals. You will see that our action has resulted in a net reduction of but \$109,623. I do not mean by that to leave the impression that we simply made a number of reductions aggregating that sum. We have made increases, readjustments, and decreases, with the net result that the bill carries the sum I have stated less than the Budget proposals.

The bill carries appropriations totaling \$36,173,366. This sum exceeds the appropriations for the current fiscal year by \$1,214,795. As a matter of fact, however, we appropriated for two projects in last year's bill calling for a total of \$2,100,000, and, as there is no need to provide any money in this bill for those particular objects, the result is that for comparable purposes, generally speaking, this bill carries appropriations which exceed in the aggregate the sum of the current appropriations by more than \$3,000,000. Quite a considerable portion of this results from recent legislative enactments, such as the new assessment law, the act to alter the personnel of the Public Utilities Commission, the law placing offices of the register of wills and recorder of deeds on an appropriation instead of a fee basis, the law authorizing the new M Street Bridge over Rock Creek, the law authorizing the acquisition of a site for a garbage-reduction plant, the new teachers' retirement law, the judges' salary bill is reflected in this measure; and then there was the law providing for the erection of two bathing pools or beaches. These laws alone, Mr. Chairman, account for practically a million dollars of the increase in the bill over the bill of a year ago. The bulk of the balance will be found in the items of streets, sewers, schools, and water service. I shall refer to some of these a little later. Just now, with your permission, I should like to address myself to the matter of financing the bill.

In the first place, we are proposing a continuance of the lump-sum contribution plan inaugurated in the 1925 bill—\$9,000,000. In addition to that, we propose to continue to give up our share of certain miscellaneous revenue derived from rents, fees of various kinds, special assessments, sales, licenses, fines, and so forth, in which the Federal Government participated under the former 60-40 plan. Our share in these under the former arrangement it is estimated would total \$950,000 during 1928. Do not get the idea, therefore, gentlemen, that we contribute but \$9,000,000. Ten million would be nearer correct. Now let us see how the remainder of the money will be raised. There is still a balance in the special school fund of \$300,000. So from that source \$300,000, the bill provides, shall come. The gas-tax fund, that is the 2 cents per gallon tax on gasoline, will be charged with \$1,478,600. The water revenues will contribute \$1,591,210, and the Government's contribution, as I have stated, will amount to \$9,950,000. This leaves, therefore \$16,613,556 to be met—how? We are told that the intangible tax—5 mills on the dollar, will yield \$2,300,000. The tax on public utilities, banks, trust companies, and building associations will produce about \$2,140,000, and the District will receive in miscellaneous revenue, deducting the Government's share under the old arrangement, a sum estimated at \$1,800,000. The remainder, therefore, or \$16,613,556, is the sum that will have to be met by taxes on real estate and tangible personal property. So, as compared to this sum which will have to be met by tax levies, we find that the Federal Government,

according to the committee's proposals, will be called upon to contribute \$9,950,000, and I submit, Mr. Chairman, that that is a pretty fair contribution.

We are told, and I do not question the accuracy of the information, that a \$1.50 tax rate will suffice so far as this bill is concerned, including an allowance for unforeseen demands to the extent of \$500,000. Of course, the new assessment will be operative, effective from the first of next July, and on the basis of the estimated new assessed value of real estate \$1.50 will yield about as much revenue as the current \$1.80 rate will produce on the present valuation. The new valuation is estimated to aggregate \$1,150,000,000 and the present valuation totals \$951,000,000.

I do not mean to say that the rate next year will be \$1.50, because it may be necessary to add to this bill in another body or to make provision in the general deficiency bill in pursuance of several authorizations for which no estimates have been presented and which entail some rather substantial outlays. For example, I might cite the new police court building, the new building for the recorder of deeds, a nurses' home at Columbia Hospital, and a new farmers' market. We have been advised that for each additional draft amounting to \$627,500, 5 cents will need to be added to the \$1.50 rate. In all fairness, gentlemen, I think the taxpayers of the District might very well be satisfied. We all might wish that a situation equally as attractive existed in our home communities.

Mr. HASTINGS. Will the gentleman permit an interruption?

Mr. FUNK. Yes.

Mr. HASTINGS. Does the gentleman have any figures as to what is the average tax rate in cities with a population about the same as Washington, approximately 500,000?

Mr. FUNK. No. We had that in the hearings of a year ago, but we did not go into that this time.

Mr. HASTINGS. So the gentleman does not have that average tax rate in mind?

Mr. FUNK. No; but I will say to the gentleman the law provides that the assessment must be upon the full and fair cash value. As to what that means is a question of judgment with the various assessors in the various communities.

The biggest drain upon local resources is occasioned by the schools. Of the total sum proposed in this bill approximately one-third is on account of the public-school system. The exact amount is \$11,999,046. This is larger by \$1,093,675 than the sum of the current appropriations for the schools and \$345,655 less than the submissions which the committee considered. The new teachers' retirement law is responsible for \$289,000 of the increase. An initial appropriation becomes necessary on account of the equipment for the new McKinley High School, to be supplemented later by requests totaling possibly as much as \$350,000. There is a new item also in the sum of \$100,000 for providing fireproof stage curtains for the Central and Dunbar High Schools. These three items, plus an increase of \$490,000 for the construction of buildings, including the preparation of plans, and for the acquisition of school and playground sites account for the larger outlay proposed for 1928.

The building and land projects are in conformity with the five-year school-building program authorization. Two items the committee refused. One, for an addition to the Crummell School and other for a site for a health school for colored children. I, and some of my colleagues on the subcommittee, made a personal survey of these and other items, and our judgment is that there is no pressing need for either of these two school items at this time. The other instance of any consequence where we have departed from the school estimates is in the item for school teachers. Seventy-four additional teachers are included in the Budget estimates. Your committee has refused the money for making this expansion in the teaching staff. Despite our interest in the schools and our desire to see that the children of the Capital City shall have every educational advantage we must not at the same time, Mr. Chairman, let our propensities in this direction lead us into extravagance. My own judgment is that the school authorities are inclined to move too rapidly in building up the teaching corps. An abnormal condition prevails here by reason of the big developments in the remote sections of the District and the rapid encroachment that is occurring of the colored population upon former white school centers. These factors are reflected in the attendance statistics of the school system and are not, I fear, given very serious consideration by the school authorities. We can well afford to proceed a little cautiously in this respect, I believe, gentlemen. I am convinced that out of the present total of 2,656 teachers, the schools can be made to function smoothly and efficiently, any statement of the school authorities to the contrary notwithstanding.

Turning to the subject of streets, you will find that the bill generously provides for bettering and improving the city's

thoroughfares. Three important widening projects in the interest of accelerating the movement of traffic are made possible. One, Connecticut Avenue from M Street to Florida Avenue; another, Fifteenth Street from I Street to Massachusetts Avenue; and lastly Thirteenth Street from I Street to Massachusetts Avenue. Besides the usual run of new paving items a new item of \$450,000 appears for the improvement of streets throughout the city which have been paved more than 30 years. I am sure all of you who drive or own cars have noticed that a decided improvement has been made under the provisions of the bill of a year ago. As this bill makes available \$749,600 more than the bill of a year ago for new pavements, widening projects, and streets repairs, you can have some conception of the betterments that we may look to.

The report on the bill touches upon all of its principal aspects and I shall not take your time further to recount the money changes in their relationship to the bill of a year ago.

I should like to dwell for a moment on the matter of buying land. In the current appropriation act provision was made, exclusive of the National Capital Park and Planning Commission and the Anacostia Park project, for the acquisition of 11 parcels of land for specifically named uses, each having a price limitation of 125 per cent of the assessed value. To date two tracts have been bought under this limitation—a school site in Potomac Heights, and a police station in Tenleytown. The appropriations were made available until July 1, 1928, in order that negotiations for purchase could be deferred until the new assessment, which becomes effective July 1 next. I invite your attention to the statement and table on pages 37 and 38 of the hearings with respect to these land items. The table shows the present assessment, the maximum price payable applying the 125 per cent limitation thereto, the asking price, and the new assessment.

It discloses that a wide disparity will continue to exist when the new assessment becomes effective as between the asking prices and the new assessed values and gives renewed emphasis to the committee's contention that the law requiring full value assessments is not being properly administered or else that the owners of property here which is needed for public uses are determined to force local taxpayers to contribute toward extortionate prices for their personal gain. Now, gentlemen, despite this seeming deadlock, the committee does not believe that it is futile to attempt to accomplish its aim through the continuation of this price limitation. It may be true that it will have the effect of delaying acquisitions, but by continuing to focus public attention upon the matter it is believed that much can be accomplished to bring about a more satisfactory situation, and in this view I wish to emphasize that the head of the Citizens' Advisory Council concurs.

With respect to school building and playground sites specifically appropriated for, the current appropriation act provides that if any of such sites can not be acquired under the 125 per cent price limitation that funds thus released might be employed in acquiring any other land authorized to be purchased under the five-year school building program act. It is understood with respect to some of these latter that they may be purchased at a figure but little in excess of 125 per cent of the present assessed value. In order that advantage may be taken of propositions of this character, the committee is proposing to exempt from the 125 per cent limitation until June 30, 1927, \$154,000 of the funds made available in the current appropriation act for the purchase of school building and playground sites.

The site for a fire-engine house out Sixteenth Street extended, for which we provided a year ago, can not be purchased because the deeds contain a strict residential clause. Another site in the same vicinity is being negotiated for, and it appears that it can be purchased under the 125 per cent limitation.

We expected in last year's bill \$150,000 of the appropriation for the National Capital Park and Planning Commission from the operation of the 125 per cent limitation, and we are proposing to do the same thing in this bill. This limitation has operated to slow down purchases by the commission, particularly with respect to park and playground sites in the areas which are being developed. We are without information, however, as to the disparity which will exist between the asking price of properties it is sought to acquire and the estimated new assessed values. The current appropriation, by express provision, will extend beyond the time the new assessment becomes effective.

Gentlemen, I think we have got to be firm in our stand on this matter. There should be no wavering. If these speculators are made to realize that we are determined to block their avaricious schemes I believe we may confidently look forward to triumphing in our aim. I also believe this, however, Mr. Chairman: That we should not discriminate in these matters.

If we are going to impose the limitation on one piece of property we should impose it on all. I think this should be a condition attached to every local land purchase authorization we pass.

Now turning to traffic matters, I shall read to you from the report on the bill affecting this subject:

The Budget estimates for the office of the director of traffic a total of \$123,220, as compared with \$100,000 for the current fiscal year. The committee is proposing \$89,360, a decrease of \$33,860. The committee is providing for 8 positions instead of 17, as proposed in the Budget, resulting in a reduction of \$13,860. The committee sees no reason why this force should need to be expanded. An extra load was imposed this year by the need to renew automobile operators' permits. This work will have been completed by July 1 next. The Budget includes \$5,000 for making traffic counts and surveys. The police are available for such work and should be so employed when occasions or the need arises. This item has been eliminated.

The remainder of the reduction (\$15,000) has to do with the control of the automatic traffic signal lights. The estimates include an item of \$18,000 for personal services for attendance on nine separate control stations. Following an indication of the committee's disapproval of this item a plan was evolved for a central control station, making possible the reduction of \$15,000.

Here is a place in my judgment, Mr. Chairman, where perhaps even further economies might be effected and I suggest to the legislative committee that the principal mission of this office has been accomplished. Henceforward, it would seem, the work could be carried on by the director and his assistant—possibly one of them, with the assistance of two or three clerks. A traffic engineer really is all that is needed. The police should be able to take hold now, and with the cooperation of the traffic engineer, control and regulate traffic to the satisfaction of everybody. I can see already an overlapping and a tendency to build up an organization independent of existing means and facilities which might be utilized to do all work other than traffic planning.

Another situation to which I wish to invite attention relates to the office of the corporation counsel. The corporation counsel, under the law, receives \$1,000 extra compensation as general counsel to the Public Utilities Commission. His total compensation is \$6,000. The people's counsel just authorized it to receive \$7,500 per annum. Certainly the commission's counsel should be a man of equal attainments and compensated as well. The present corporation counsel may be a good lawyer and may be exceptionally able in the preparation of legal papers but in all frankness the committee's contacts with him force the conclusion that as an administrative officer he is not the man to be in charge of the city's legal staff. I suggest this office to the consideration of the legislative committee. A new directing head, to act also as general counsel to the Public Utilities Commission with commensurate compensation should be provided for.

As I said at the opening of my remarks, Mr. Chairman, we were aided in a number of ways in shaping this bill by studies made by the District Committee and communicated to us by the gentleman from Vermont [Mr. GIBSON]. The committee seeks and welcomes this cooperation—this team work. We have a big responsibility to discharge in legislating and appropriating for the Capital City of this great Republic and I am sure a close understanding and relationship between these two agencies is certain to lead to results to which we all can point with pride. [Applause.]

Mr. KETCHAM. Will the gentleman yield?

Mr. FUNK. Yes.

Mr. KETCHAM. Referring to the 125 per cent limitation in connection with the purchase of sites, will the gentleman inform the committee what has happened with reference to the prices demanded in an immediate vicinity to indicate how difficult it is to make such a limitation operative?

Mr. FUNK. I might give you the picture in a slightly different way. When it was proposed to acquire the square upon which the McKinley High School is located and when the matter of purchase was under contemplation we found that the asking price by private bargaining through representatives of the city and the owners, as well as the price fixed by condemnation juries, was from one to two to three to four to five times the assessed value. Therefore that land, assessed as it was, was not paying its proper proportionate share of the expenses of running this city.

Mr. KETCHAM. The gentleman recommended to the House, as I recall, the suspension of the application of this 125 per cent arrangement in certain specific cases. I was not quite clear as to the reason why that recommendation is made.

Mr. FUNK. We exempt \$150,000 of the \$600,000 appropriated to the District Parks Commission so that they will have

one-fourth of their \$600,000 without any 125 per cent limitation. That means they can use that money in going out and bargaining with certain people for very essential and necessary tracts, and it might be it would only be 130 per cent of the assessed valuation.

As to the money available for the purchase of school sites, there is \$154,000 to which the restriction of 125 per cent of the assessed valuation does not apply.

Mr. KETCHAM. The gentleman has explained the reason for this and it appears to be a very good one, but does the gentleman believe this to be a good policy for us to establish as a permanent practice?

Mr. FUNK. Does the gentleman mean to give them a certain sum like this?

Mr. KETCHAM. No; the restriction of 125 per cent. Is that a policy we ought to look forward to as a permanent one?

Mr. FUNK. I think it is, because one of two things confronts the taxpayers of this city. Either the assessed valuation of the property is not being made in accordance with the law which says that the assessment on real estate shall be at full, fair, cash value, or else the city is being held up by speculators, possibly in collusion with people who may have some control over the transaction, either through testifying as witnesses or even by being on the jury of award in the condemnation suits. I think the committee was convinced it was time to call a halt on the people of this town being robbed by having to pay exorbitant prices for land which is to be used for municipal purposes, and I think we have made very marked progress along that line.

Mr. KETCHAM. I want to congratulate the chairman of the subcommittee on his very able and comprehensive answer to the question and also upon his presentation of the bill. Ordinarily, these matters do not have a great deal of interest for the casual listener, but I am sure we have all greatly enjoyed and appreciated the statement of the gentleman.

Mr. FUNK. I thank the gentleman from Michigan.

Mr. Chairman, I yield back the balance of my time and I presume we will proceed with the reading of the bill.

The Clerk read down to line 17, page 3.

Mr. MOORE of Virginia. Mr. Chairman, I move to strike out the last word, simply for the purpose of asking unanimous consent that the gentleman from Mississippi [Mr. COLLINS] may be allowed to revise and extend his remarks on the pending bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read as follows:

AUDITOR'S OFFICE

For personal services in accordance with the classification act of 1923, \$88,640, and the compensation of the present incumbent of the position of disbursing officer of the District of Columbia shall be exclusive of his compensation as property and disbursing officer for the National Guard of the District of Columbia.

Mr. GIBSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Does the gentleman desire recognition on the paragraph just read or the one that is being read?

Mr. GIBSON. I understood, Mr. Chairman, we had finished a paragraph, and with the consent of the committee I want to say a word in regard to the assessor's office in connection with the item which we have just passed.

The CHAIRMAN. Will the gentleman kindly wait a moment until the Clerk has finished reading the paragraph?

The Clerk concluded the reading of the paragraph.

Mr. GIBSON. I want to take this occasion to thank the chairman of the subcommittee of the Committee on Appropriations for his reference to the work of the subcommittee of the Committee on the District of Columbia.

I do not take any personal credit for this work. What we have accomplished has been due to the splendid cooperation we have received from different governmental agencies and on account of the ability of the other five members of the subcommittee who were appointed by the chairman of the Committee on the District of Columbia.

Just a word in regard to the work we are doing. As we go through this bill I would like from time to time to call the attention of the Members to some of the conditions that exist.

At the present time the assessor, by order of the District Commissioners, prepares each year a list of all delinquent taxes on real property. This is printed in book form. I hold in my hand the book which was prepared for this year. This contains a list of 23,000 pieces of real estate in the District upon which taxes had not been paid. No personal notice is given

as to the date when the taxes are due. No demand is made. No personal notice is given of the sale. There is published in at least one of the newspapers of the city a short paragraph of about 2 inches stating the time and place that a sale of the taxes due on the real estate will be held.

In January of this year 23,000 pieces of real estate were offered for sale for taxes. This book costs the District \$7,500 to publish and it is sold to people who wish to purchase it at \$16.70 per copy. Practically the only way a taxpayer can find whether his property has been advertised or not, is to go to the tax collector's office and purchase one of these books. Less than 50 of the 500 are actually sold and fully 400 copies are condemned every year. Some recommendations have been made by our committee to take care of this particular situation.

Of the 23,000 parcels of real estate that were offered for sale, 12,000 were sold. These were purchased by four people who are in the business of buying property at tax sales. This is a condition, of course, that ought not to obtain in a city like this.

The system followed results in a condition of affairs of which this is a fair illustration: One Jacob Keros bought some property in 1923 to be used as a home. It was represented to him at the time of purchase that the taxes had all been paid. He paid his taxes in 1924 and 1925 and when he asked for the amount of his taxes for 1926, he was told that somebody up in Rochester, N. Y., had paid them. In looking back in the records he found his place had been sold at one of these tax sales in 1923. He was compelled to pay interest at the rate of 1 per cent per month, and \$100 attorney's fees in order to redeem his property. There are thousands of similar cases in the District of Columbia.

The pro forma amendment was withdrawn.
The Clerk read as follows:

OFFICE OF CORPORATION COUNSEL

Corporation counsel, including extra compensation as general counsel of the Public Utilities Commission, \$6,000, and other personal services in accordance with the classification act of 1923, \$40,000; in all, \$46,000, and no part of this appropriation shall be available for the compensation of any person giving less than full time from 9 o'clock antemeridian to 4.30 o'clock postmeridian to his official duties.

Mr. ZIHLMAN. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the subcommittee a question. The chairman, in his presentation of this bill with reference to the office of corporation counsel, made some reference to the necessity of getting a fairly competent man for this position, and then suggested that the matter should be looked into by the legislative committee, of which I am chairman. May I ask the gentleman what he had in mind when he referred to this? Is it necessary to have further authorization of law in order to increase the salary for the corporation counsel?

Mr. FUNK. Apparently under the salary now authorized and being appropriated for a sufficiently competent man is not being employed. The corporation counsel has been before our committee during the two years that I have been chairman, and apparently he knows but very little about the affairs of his office. I have been told that perhaps he is a good legal adviser, but as an administrator of a large executive office he does not seem to have the proper qualifications. Therefore, it is respectfully suggested to the legislative committee that if there is a failure to secure a man with proper qualifications, it must be due to the fact that the salary is not large enough to secure one.

Mr. ZIHLMAN. Is the corporation counsel now receiving the maximum of the grade in which he is allocated?

Mr. FUNK. No; the maximum is \$7,500, and he is receiving \$6,000.

Mr. ZIHLMAN. Then that is not a matter for the legislative committee, but should be considered by the Committee on Appropriations.

Mr. FUNK. I do not think that the gentleman gets my point. I do not think an addition of \$1,500 would secure the services of the character and qualifications that the man ought to have to hold this office.

Mr. ZIHLMAN. I am not arguing the point with the gentleman.

Mr. FUNK. As long as this man still holds the office it would not better things to increase his salary from \$6,000 to \$7,500. I think the office of corporation counsel should have a salary attached to it of \$10,000 to compete with high-priced attorneys for various corporations.

Mr. ZIHLMAN. If the gentleman's statement is correct it is a matter for the District Commissioners. I do not feel that

the committee of which I am chairman would be justified in increasing the salary of the corporation counsel 25 per cent over what the commissioners have.

Mr. FUNK. I hope the gentleman will not think that I made this in any spirit of criticism; it was simply in the nature of cooperation to bring about the most desirable results for the District.

Mr. ZIHLMAN. I am trying to ascertain what the gentleman had in mind.

Mr. FUNK. I think you should recommend that the salary of this position should be eight or ten thousand dollars in order to secure the service of a high class and capable and efficient attorney.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GIBSON. Mr. Chairman, I move to strike out the last word. I quite agree with the chairman of the Subcommittee on Appropriations in regard to the office of corporation counsel. It is a very important position. He represents the District of Columbia in all pending litigation. Some of that litigation relates to the collection of taxes.

In that connection let me call attention to the condition that exists in connection with the collection of taxes from public service corporations. The committee which investigated the conditions in the District last session found that there is due from public service corporations to the District of Columbia in the way of taxes about \$1,100,000. These taxes have been accumulating since 1910. It is the duty of the corporation counsel to force the tax cases to an issue, and yet the committee was unable to find that the corporation counsel had taken the proper initiative to protect the interests of the people of the District of Columbia.

The pro forma amendment was withdrawn.

Mr. MENGES. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Vermont a question. I understand there is some difficulty about the collection of taxes in this District. I have a representative from my district living here and some owning property who do not live here. Is it possible that this property might be sold on account of taxes not being paid and the taxpayer not notified?

Mr. GIBSON. The law of the District does not require a notice of the date when real-estate taxes are due and no notice is given to the taxpayer. As a result a large number of pieces of real estate have been sold for taxes in the last few years owing to the fact that the owner did not carry in his mind the date that the taxes became due.

Mr. MENGES. Has any remedial legislation been suggested in the bill under consideration to prevent this thing?

Mr. GIBSON. I will say to the gentleman from Pennsylvania that we are in the midst of a survey of the tax collector's office and the tax assessor's office and we will have within a few days some definite recommendations to make.

I have referred to the real-estate taxes. Up to the present time our committee discovered a loss of \$1,192,000 of personal-property taxes in the last five years, due to loose methods of collection and lack of sufficient assistance in the collector's office. A recommendation as to taking care of this condition will also be included in the recommendation made by our subcommittee.

Mr. MENGES. How can a person proceed to get back this property which has been sold for taxes?

Mr. GIBSON. The person who owned the land has the right of redemption. He is required to pay the taxes and 1 per cent a month, or 12 per cent a year. If more than two years has elapsed since the sale, an attempt is made, and in most cases it results in success, to collect an attorney's fee running from \$50 to \$250 in each case. If the gentleman has a case where land has been sold for taxes, he may consult these various tax-sale books issued from year to year. The gentleman can get this one at the tax collector's office for \$16.70 and he can get the one that was issued last year for \$14.50, or something like that. The book is not indexed, but the gentleman can look through it and he may discover whether the property has been sold or not.

Mr. MENGES. I am much obliged to the gentleman.

The CHAIRMAN. Without objection the pro forma amendment is withdrawn and the Clerk will read.

The Clerk read as follows:

DISTRICT OF COLUMBIA EMPLOYEES' COMPENSATION FUND

For carrying out the provisions of section 11 of the District of Columbia appropriation act approved July 11, 1919, extending to the employees of the government of the District of Columbia the provisions of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, \$15,000.

Mr. O'CONNOR of Louisiana. Mr. Chairman, I move to strike out the last word for the purpose of getting information from our good-natured chairman of the subcommittee or from any other gentleman of that committee. I notice, Mr. Chairman, recently a great many newspaper articles in our Washington newspapers with reference to condemnation proceedings and the fact that certain property holders are said to be demanding unfair prices for property that is required for public use. Considerable space is devoted to the subject, and apparently has excited a great deal of attention among real estate circles. I believe there is a feeling prevalent that these citizens were taking advantage of public needs for the purpose of making an unusual profit. Has the committee considered the advisability and legality of such a measure or amendment, or whatever course would be necessary, whereby a jury of freeholders would be prohibited from awarding a judgment in excess of the amount for which the property was assessed and made to pay taxes?

Mr. FUNK. Mr. Chairman, that matter was discussed, perhaps not exactly upon that point, but as a general situation. Frankly this thought occurred to me: I am not a lawyer, but I can not see any good reason why the testimony of the assessor as to what he had assessed the property for and the production of the public record in respect to a particular tract or parcel of land should not be the evidence upon which the jury should act. I offered that suggestion somewhat in line with the gentleman's thought.

Mr. O'CONNOR of Louisiana. The gentleman has my thought correctly.

Mr. FUNK. I was immediately called down by some legal light with the statement that testimony of that character was not competent, at least in the jurisdiction from which he came. I think that is the rule of the court as to evidence here in the District of Columbia. We did at one time contemplate even incorporating some such suggestion as the gentleman has made in this appropriation bill, but we realized, of course, that it would be subject to a point of order and it might be futile to even attempt it.

Mr. O'CONNOR of Louisiana. I do not know the formula for making assessments in the District of Columbia.

Mr. FUNK. The law says the full, fair, cash value.

Mr. O'CONNOR of Louisiana. But I can thoroughly understand that if the judgment of the assessor was alone at issue a court might consider it inadvisable to put that valuation upon it which was fixed by him for taxation purposes. For instance, in the city of New Orleans—and I imagine all cities of similar size are governed by the same municipal regulations—and that is true of New Orleans, even though it is in a civil-law State, which is different from other States of the Union—

Mr. FUNK. The Napoleonic Code.

Mr. O'CONNOR of Louisiana. Yes. The assessor is compelled by law to file with the property holder a statement in blank or petition in which the property holder is obligated to set forth his own value and to swear to it. He gives the amount of rent he derives, the amount of insurance on it, and all of the statistical information that could be of value in appraising that property, and as a consequence I think we have as fair an assessment at this time as prevails throughout the country. If the property holder fails to return the statement properly filled out in the time fixed by law, he loses the right of review by a court of competent jurisdiction of the assessment made by the assessor. While such an assessment is not conclusive, it is an important factor in determining the value of property that may be required for public purposes in expropriation proceedings, which is the name we use instead of condemnation as used by you. Again, our jury of freeholders is composed of 12 men or women, who pass, in accordance with the time-honored wisdom of that ancient institution of liberty, upon the property of him who has to yield it for the public good, instead of 3 or 4 realtors who may or may not have an interest, remote or otherwise.

Mr. SIMMONS. Mr. Chairman, I rise in opposition to the pro forma amendment. The situation in the District of Columbia on this matter of assessments is just about this: The assessor has some deputies, whom he appoints, who go around and, as he says, equalize the assessments, based on past sales. Those assessments are then finally passed on and approved by the District Commissioners, so that the assessment that goes into effect on July 1 of this year will be approved by the District Commissioners as of that date. There is no question but that the assessed values in the District of Columbia are far below the cash value of the land, due to the fact that the assessor insists on fixing the assessed value on prior sales, and he may go back two or three or four years to get a sale value in the community on which to fix his assessment. The homes of the city, so far as the investigation of our committee is con-

cerned, are assessed at about 80 to 90 per cent of their present sale value. We had this striking illustration, however, of the fact that unimproved land is assessed away below its actual value.

There is in the hearings testimony regarding 22 acres of land which the park people wanted to secure for the Potomac Parkway. We have an affidavit of the owner of the land that it was worth in excess of \$135,000, yet the assessor placed the value as of July 1 this year at 14 per cent of that amount, and we were asked to remove the restriction in the price of it that they might buy at that value. It is being taxed at about 10 per cent of what the assessor thinks it is worth. The proposition the gentleman offers is one that might be a help, as I see it offhand, to restrict a freedom of the court in arriving at the value. We have reached it in exactly another way. We can not put whatever value we want under condemnation, because we have to take the amount based on assessment. A condemnation proceeding in the District is one that is extremely complicated and one that is open to considerable potential fraud, and it is one of the things which Mr. Gibson's committee later intend asking some action on and to investigate the way in which condemnation juries are handled in the District. Incidentally, we were discussing the corporation counsel in that regard.

Last year the committee criticized the fact that he knew absolutely nothing about condemnation cases, paid no attention to them, considered them as mere routine things in his office. This year he came to the committee and he said he had taken a man from police-court work and put him in his office on condemnation cases, and he paid no further attention to it. We must protect in some way the District as long as the administrative officers of the District allow that sort of condition to prevail.

Mr. O'CONNOR of Louisiana. I thoroughly understand, and I had no idea of criticizing either the committee or the juries; but it occurred to me from this angle of discussion that a spark of truth might fly and incidentally give us some idea which might be beneficial in relation to this matter.

Mr. GIBSON. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, the gentleman from Nebraska has stated that these condemnation proceedings and the practice here in the District afford an opportunity for potential fraud. In connection with that statement may I call attention to the condemnation juries. We have two jury boxes under the control of the jury commission, one for grand and petit jurors and one for condemnation jurors. That commission consists of three men. When a condemnation case is submitted the jury consists of three or five. I have before me a list of the condemnation juries drawn from the condemnation jury box for the last two years. In practically every case there was an active real-estate man on the jury, and in some cases three real-estate men. This list reveals that a real-estate man who served on a jury in a case, say, two or three months ago will have a case of his own before a jury of realtors this month. Naturally, the awards of these juries are excessive.

Mr. SIMMONS. Will the gentleman yield?

Mr. GIBSON. In a moment. In that connection I call attention to a recent case investigated at Sherman Circle. The new assessment on the land that the District was seeking to take was about 40 cents a foot. The jury awarded \$1.36 a foot. Other real estate of the same defendant in that immediate vicinity is assessed at 15 cents a foot. So you see this award was outside of all reason.

Mr. SIMMONS. If the gentleman will investigate the hearings of our subcommittee last year, he will find the corporation counsel was using—I think in every case but one—as a witness on behalf of the city as to values just one man, and that one man an employee of one of the largest real-estate firms in the District.

Mr. GIBSON. I will say to the gentleman from Nebraska that under the direction of the court the corporation counsel has been practically limited to the use of these experts. The jury is directed by the court to accept only expert testimony, and the assessed valuation is not taken into consideration at all.

Now, on Pennsylvania Avenue, as soon as it became apparent that the Government was seeking to acquire some squares and triangles for new Government buildings, a large number of the real-estate men got busy and tried to obtain from the owners options or powers of attorney to represent them. The control of those squares, as appeared by evidence produced before our committee, have largely fallen into the hands of one man, who has been quite active in selling school sites and park sites to the District for a good many years. You see it is this circle that we are trying to get inside of and break up.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For printing all annual and special reports of the government of the District of Columbia for the fiscal year ending June 30, 1927, for submission to Congress, \$4,800: *Provided*, That authority is hereby given the Commissioners of the District of Columbia to discontinue the printing of any annual or special reports of the government of the District of Columbia in order to keep the expenditures within this appropriation. In all cases where the printing of said reports is discontinued, the original copy thereof shall be kept on file in the offices of the Commissioners of the District of Columbia for public inspection.

Mr. GIBSON. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question.

The CHAIRMAN. The gentleman from Vermont moves to strike out the last word.

Mr. GIBSON. Does this provision on page 12, in line 10, prevent further printing of the real estate tax sale book?

Mr. FUNK. The refusal to grant money for the printing of the tax sales is taken care of a little further on, on page 16, line 5. Does that answer the gentleman's question?

Mr. GIBSON. That answers it.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

In all, \$162,700; to be disbursed and accounted for as "Street improvements," and for that purpose shall constitute one fund: *Provided*, That no part of such fund shall be used for the improvement of any street or section thereof not herein specified.

Mr. ZIHLMAN. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the subcommittee a question.

The CHAIRMAN. The gentleman from Maryland moves to strike out the last word.

Mr. ZIHLMAN. Mr. Chairman, I notice that on page 18, line 15, the committee have inserted a new item, as follows:

Northwest: For paving Hawthorne Street, Forty-fourth Street to Forty-fourth Place, \$6,000.

May I ask the chairman of the subcommittee if this was included in the list of streets embraced in the recommendation of the Budget Bureau?

Mr. FUNK. It was not.

Mr. ZIHLMAN. May I ask the gentleman further what was the reason for inserting this item?

Mr. FUNK. We viewed the street and deemed it advisable that it be improved. It was within our authority.

Mr. ZIHLMAN. I call the gentleman's attention also to line 20 of page 19, as follows:

Northeast: Fifty-seventh Street, Blaine Avenue to Dix Street, \$5,000.

May I ask the chairman if that was included in the estimates?

Mr. FUNK. It was not; but it was brought to our attention by the citizens' association of that section—the Bennings Citizens' Association. They pointed out that the appropriation bills for the last few years had not appropriated very much money for that particular section. This is for the grading of a street preparatory ultimately to paving. They made a very good case for their request.

Mr. ZIHLMAN. May I ask the chairman further? He has made reference to the lack of improvements in the northeast section of the city. I quite agree with the gentleman from Illinois that this section has been largely overlooked in the substantial program of improvements that have been carried on in the District.

I notice on the next page of the bill, page 21, that various items of paving in the northeast section have been cut from 20 to 50 per cent under the estimates of the Bureau of the Budget. I assume that the committee have had additional information on this, but it is a strange thing that all these cuts have been made in the northeast section of the city, and they aggregate a considerable sum, although the language carried as to the amount of paving follows the language of the original estimates.

Mr. FUNK. We think a very convincing argument has been made for these changes. We have viewed the streets and looked over this proposition carefully and spent more than six days on it. We find that the items to which the gentleman refers provided for sheet asphalt pavements and granite curbs.

It was our conclusion, as this was purely a residential street, with comparatively little traffic on it, that a smaller expenditure for a different kind of pavement, namely, concrete, would serve the purpose, and also a concrete curb. There will not be one heavy truck in six months back up to one of those curbs,

and a concrete curb is sufficiently strong and very much cheaper. We found that the comparative cost was about in the ratio of two to three, three representing sheet asphalt, with granite curbing, and two representing concrete, with concrete curbing, and that made more money available. Seventy thousand dollars was the difference in the estimated cost as between sheet asphalt and concrete, and this money was expended on other streets or recommended to be expended.

Mr. ZIHLMAN. There has been no saving in this item; to the contrary, there is an increase.

Mr. FUNK. Perhaps I was not happy in my choice of the word "saving." I will say it extended the amount of pavement and increased the amount of pavement, due to the use of concrete in connection with this pavement. It made it possible to lay more pavement for the same amount of money.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. ZIHLMAN. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

Mr. FUNK. Mr. Chairman, I rise in opposition to the amendment and yield the gentleman my time.

Mr. ZIHLMAN. I have not offered any amendment as yet. Mr. Chairman, I have asked unanimous consent to proceed for three additional minutes.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to proceed for three additional minutes. Is there objection?

There was no objection.

Mr. ZIHLMAN. In view of the fact that the chairman of the subcommittee and the members of the committee have inserted in the bill various and sundry items which have not been approved by the Budget and are entirely new items, I take it the chairman of the subcommittee would not object if I, as one humble Member of the House, would offer a similar amendment for the consideration of the members of the committee.

Mr. FUNK. I would not object at all, but I will not say I will agree to your amendment, which no doubt relates to Sixteenth Street. You probably have that in mind, and I will speak against it, as I am familiar with that situation.

Mr. ZIHLMAN. I do not have the paving of Sixteenth Street in mind. Mr. Chairman, I offer an amendment to this page of the bill.

The CHAIRMAN. The gentleman from Maryland offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ZIHLMAN. Page 19, after line 25, insert: "Northwest: Kalmia Road to District Line, \$22,000."

Mr. BLANTON. Mr. Chairman, I want to ask the gentleman a question. Where is this road?

Mr. ZIHLMAN. This part of Kalmia Road runs from its intersection with Sixteenth Street to the District Line. Mr. Chairman, I ask unanimous consent to correct the language of the amendment I have offered by inserting the words—

Sixteenth Street, between Kalmia Road and District Line, grading, \$22,000.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Without objection, the Clerk will report the amendment as modified.

There was no objection.

The Clerk read as follows:

Page 19, after line 25, insert a new paragraph as follows: "Northwest: Sixteenth Street, between Kalmia Road and District Line, grading \$22,000."

Mr. FUNK. Is the gentleman from Maryland going to support his amendment?

Mr. ZIHLMAN. I was waiting on the gentleman from Texas.

Mr. FUNK. If not, I rise in opposition to the amendment. Mr. Chairman, I am very familiar with the situation. Most of you know that Sixteenth Street from Alaska Avenue, which is the point opposite the Walter Reed Hospital, where Alaska Avenue leaves Sixteenth Street, has been graded, that is, Sixteenth Street has been graded from Alaska Avenue, at its intersection with Sixteenth Street, up through that hill to Kalmia Road. That money has been appropriated. Now, this amendment seeks to provide funds to grade Sixteenth Street from Kalmia Road to the District Line, and I want to say I have inspected this location quite thoroughly and it leads nowhere; it leads to a dead end and there is a great gulch and gully through there.

Mr. TYDINGS. Will the gentleman yield?

Mr. FUNK. I will not yield until I have finished my statement.

Mr. TYDINGS. The gentleman is making a false statement and I know the gentleman does not want to make such a statement.

Mr. FUNK. I am not making a false statement.

Mr. TYDINGS. I do not mean intentionally, but the gentleman is misquoting the facts.

Mr. FUNK. I do not care to be interrupted, Mr. Chairman. This is simply a real estate development proposition. They are asking for \$22,000 to grade Sixteenth Street from Kalmia Road to the District line which, as I have said, is a dead end; it leads nowhere. It will serve no purpose and I think this money would be thrown away just as though we burned it up. I know what the gentlemen who support this amendment will say. They will say it is proposed by the State highway department of Maryland to bring a road to this point. Very well; when they do that then, if I were on the committee, I might support the amendment; but to spend \$22,000 over a country that is a gulch and leads nowhere, I think, is foolishness. I would not do it in my own business and I do not think anybody else would if he were familiar with the situation.

Mr. BLANTON and Mr. ZIHLMAN rose.

Mr. ZIHLMAN. Mr. Chairman, I ask recognition in support of my amendment.

The CHAIRMAN. The Chair rather thinks the gentleman from Maryland has lost his prior right.

Mr. BLANTON. The gentleman did not seek recognition.

Mr. ZIHLMAN. The gentleman from Texas interrupted the gentleman by interrogating him and I was waiting for the gentleman from Texas to propound his question when the chairman of the subcommittee claimed recognition.

Mr. BLANTON. I simply want to bring out some information.

The CHAIRMAN. The Chair will say that the gentleman from Maryland took his seat, for some reason unknown to the Chair, and inasmuch as the gentleman from Texas has been on his feet seeking recognition, the Chair thinks, under the circumstances, he should first recognize the gentleman from Texas.

Mr. ZIHLMAN. I do not wish to take the gentleman from Texas off his feet.

Mr. BLANTON. Mr. Chairman, I shall not take long. I shall not even use the entire five minutes. I want my friend, our Senator elect from Maryland, to get up here and explain his position, and I know he will do that.

I think the situation is just as our chairman of the subcommittee [Mr. FUNK] has stated it, and I agree with him in toto. If you start out Sixteenth Street you come to the jumping-off place where Alaska Avenue begins. Now, what is the use of extending Sixteenth Street further on when Alaska Avenue is the avenue that brings the real traffic in from Maryland? This is nothing in the world but a real-estate scheme.

Mr. SIMMONS. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. SIMMONS. We are providing for the paving and widening of Alaska Avenue in this bill upon the recommendation of the commissioners.

Mr. BLANTON. Why, certainly, and the improvement of Alaska Avenue has developed a new territory out there.

The gentleman from Maryland, of course, has to keep his preelection promises to his people out there, and he has to get them these things that they are interested in, and, naturally, the gentleman gets up here and offers his amendment and then sits down. Then the other distinguished coming Senator from Maryland is going to get up here and back him up in it.

Mr. TYDINGS. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. TYDINGS. I can understand from what the gentleman has already said that he is talking without a full knowledge of the facts. If the gentleman had let me speak first and explain the situation, the gentleman would have realized there is more to it than the gentleman has shown he knows about it.

Mr. BLANTON. I have been watching the Alaska Avenue development long before the gentleman from Maryland came to Congress.

Mr. TYDINGS. But, if the gentleman will yield to me again, there are a whole lot of roads beyond there, and this is a peculiar situation, and I think if the gentleman had allowed me to picture this entire situation to him in a different way from the way it now appears to him, I believe there is a chance that the gentleman might concede that the project has some merit to it.

Mr. BLANTON. Of course, there are some Marylanders who live in this section who would like to have Sixteenth Street developed out to the District line and then they would not have to come around by way of Alaska Avenue.

Mr. TYDINGS. The gentleman has stated that Sixteenth Street stops at Alaska Avenue. The gentleman is wrong about that. The grading has already been provided way beyond that point.

Mr. BLANTON. I know there is a kind of right of way cut through there.

Mr. TYDINGS. No; thousands of dollars have been expended on the grading of it already and we have that work done now.

Mr. BLANTON. Mr. Chairman, I do not want to take any further time. I agree with our chairman, the gentleman from [Mr. FUNK] and I am going to back him up in this matter.

Mr. TYDINGS. The gentleman is not going to agree with him until he hears all the facts, I am sure.

Mr. ZIHLMAN. Mr. Chairman, this amendment is offered absolutely in good faith. The subcommittee have not hesitated to override the judgment and wisdom of the Budget officials. I give them all credit for doing so. I do not think because a Budget is prepared in the Treasury Department for proposed improvements that Congress is to be bound hard and fast by those recommendations. But I am surprised that the chairman should take the floor in opposition to the expenditure of only \$22,000 when I know that last year we provided \$60,000 for the grading of the same street from Alaska Avenue to Kalmia Street.

Mr. FUNK. The gentleman wants to be fair. That expenditure was between two paved streets, the intersections of Sixteenth Street with Alaska Avenue and Kalmia Road. The gentleman's amendment proposes to grade Sixteenth Street and end nowhere.

Mr. ZIHLMAN. To the District line.

Mr. FUNK. A dead end.

Mr. ZIHLMAN. The Senator elect from Maryland appeared before your committee and offered to put in the Record a pledge by the Maryland authorities that they would connect up to the Maryland system. I know that this is not approved by the subcommittee, but I say to the Committee of the Whole House on the state of the Union that this extension of Sixteenth Street is approved by the District Commissioners, by the National Park and Planning Commission, the Fine Arts Commission, and by everybody who is interested in the beautification and development of the northwest section of the city. Whether the committee approves of this or not, it is going to be done—if not this year, it is going to be done next year. I am surprised that this small appropriation should be refused when the Maryland authorities pledge themselves to connect up the Maryland system. My purpose in offering the amendment, in spite of the opposition of the subcommittee, is that there is a fill that will have to be made, and we want it done now in order that the work may settle so that we can have the street paved to the District line. I certainly hope this small request made by those who represent this District and this section will be granted by the committee.

Mr. TYDINGS. Mr. Chairman, I appeared before the Appropriations Committee, the District of Columbia branch thereof, and submitted to the chairman of that committee a statement from the State roads chairman of the State of Maryland and from the county commissioners of Montgomery County, the adjoining county, that if this road was built from Kalmia Road to the District line the Maryland authorities were going to build a road out to the District line. If we complete that road up to the District line, it makes a route from Baltimore city to Washington, a direct highway, which eliminates several curves, and is the most used route for automobile trucks and pleasure cars of any route between Baltimore and Washington. The money is provided for by the county commissioners of Maryland, and they have gone on record in regard to it. I submitted all that to the committee with the statement that the Maryland authorities would build their part of the road.

So far, from Alaska Avenue and Kalmia Road, Sixteenth Street is graded. But from Kalmia Road to the Maryland line it has not been graded. You gentlemen know that if you grade a street now it is not safe to commence work on it at once, for time must be allowed to let it settle. My purpose in asking for the \$22,000 now is to have this graded so that when the Maryland road is built to the District line the graded work will have had time to settle so that we can commence work and have this continuous route from Baltimore to the city of Washington.

Mr. SIMMONS. Mr. Chairman, will the gentleman yield?

Mr. TYDINGS. Yes.

Mr. SIMMONS. When we pave Alaska Avenue from Sixteenth Street to Georgia Avenue, we then will have connected Baltimore up with a paved highway in Washington.

Mr. TYDINGS. Yes.

Mr. SIMMONS. It depends on whether you go up Sixteenth Street, then out Alaska Avenue to Georgia Avenue, and then on to Baltimore, or whether you go over Sixteenth Street direct, which side of the quadrant you take.

Mr. TYDINGS. You have to go across Alaska Avenue to a road there and cut through to Silver Springs, and that road has several curves on it, in order to get into the Colesville Pike. Furthermore, I want to appeal to the gentleman's civic pride. Here is the finest street in the city of Washington, one whose beauty we are all proud of, one whose development we should encourage, one whose right of way has been dedicated, where an additional right of way has been given to the commissioners by the property owners of the adjoining land, one that will continue right from the White House out to the District line. The Maryland authorities have already gone on record and said that they will build the road up to the District line, and all we ask you now is to grade the street so that when you get ready to join with us, the grading will have settled and will not crumble all to pieces, as it will if the street is built in a hurry.

Mr. WELCH of California. Does the gentleman know when the State of Maryland contemplates building up to the District line?

Mr. TYDINGS. Yes; in the letters and resolutions which I presented before the committee they said that they would do it this summer.

The CHAIRMAN. The time of the gentleman from Maryland has expired. Without objection the pro forma amendment will be withdrawn.

Mr. FUNK. Mr. Chairman, I move to strike out the last two words. I think the members of the committee have this matter pretty well before them but my own view as to the necessity for a road is this: Either it comes from the need for through traffic or because of abutting property owners. There is not a house or a barn or a store or any other building abutting this proposed road. That eliminates the need of local people for a road. As to the needs of through traffic, as has been pointed out, the through traffic now leaves Sixteenth Street at Alaska Avenue and goes to the District line. These gentlemen who are supporting this item have insisted that we keep in the item of \$58,000 to widen and improve Alaska Avenue, and it is in the bill. There is no need for this proposed road to accommodate the through traffic.

Mr. ZIHLMAN. Mr. Chairman, will the gentleman yield?

Mr. FUNK. There is no local need and there is no through traffic need. As to the gentleman's statement that the authorities of Maryland propose to build a road up to this point at the District line, I do not doubt that. I have no reason for doubting it and no authority for doubting it. When they have done that and have brought the road up, then I think it is time for this committee to consider whether we will connect up or not. It serves nobody; it runs into a dead end. This is simply a real estate development.

Mr. ZIHLMAN. The gentleman inspected that road. Will there not be a very large fill that will require time for settling?

Mr. FUNK. Yes.

Mr. ZIHLMAN. Was it not the idea of the committee when they spent \$60,000 to grade from Alaska Avenue to Kalmia Street, that this would be eventually carried through?

Mr. FUNK. I say to the gentleman and members of the committee that it was not by my vote that the grading was done on Sixteenth Street. I think it is a useless expenditure which we made.

Mr. ZIHLMAN. Is it not a fact that this land which it is proposed to grade has been for 25 years dedicated to the District; that the owners 25 years ago dedicated a right of way 160 feet wide?

Mr. FUNK. That may be.

Mr. ZIHLMAN. With the idea that eventually you would grade and pave that street?

Mr. FUNK. That may be. That is the way we do things in my country. We dedicate and give to the public land for roads.

Mr. ZIHLMAN. That was done in this case.

Mr. TYDINGS. How long ago?

Mr. ZIHLMAN. About 25 years ago.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The question is on the amendment offered by the gentleman from Maryland.

The question was taken; and on a division (demanded by Mr. ZIHLMAN) there were—ayes 21, noes 18.

Mr. FUNK. Mr. Chairman, I object to the vote because there is no quorum present, and I move the committee do now rise.

The CHAIRMAN. The Chair will count. [After counting.] Forty-five gentlemen are present; not a quorum.

Mr. FUNK. I move that the committee do now rise.

Mr. TYDINGS. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. TYDINGS. To make a privilege motion that the committee do now adjourn.

Mr. FUNK. Mr. Chairman, I move that the committee do now rise.

Mr. ZIHLMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ZIHLMAN. In the event the committee rises, the Chair not having announced the vote—

The CHAIRMAN. Yes.

Mr. ZIHLMAN. Do I understand the amendment was adopted?

Mr. BLANTON. No; it will come up again to-morrow morning.

The CHAIRMAN. The amendment will come up the next session of the committee. The question is on the motion of the gentleman from Illinois that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHINDELOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 16800, had come to no resolution thereon.

POSTAL RATES

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the subject of postal rates.

The SPEAKER. Is there objection? [After pause.] The Chair hears none.

Mr. CELLER. Mr. Speaker, during the fiscal year 1926, the Postal Service was run at a loss of almost thirty-eight and one-half million dollars. (See Cost Ascertainment, Post Office Department, December 6, 1926, page 6.) Only two branches yielded profit, postal savings and first-class mail. Yet, when the last postal rate bill was passed it was the proud boast that the increased rates would more than provide for increased salaries and prevent a loss.

The proponents of increased postal rates have failed to learn the lesson that every storekeeper knows. Raise price of goods too high and customers go elsewhere. Boost the selling price unduly and people use substitutes. So the Government has increased postal rates to the point of diminishing returns. By this shortsighted policy Congress legislated out of the postal system 721,000,000 pieces of mailing matter in the last fiscal year. The illogical increases in 2d, 3d, and 4th class mail and the doubling the cost of mailing post cards, "did the trick." In addition there was lost to the Post Office Department the normal increase of revenue (estimated over a period of years) to be somewhat over 7 per cent per annum. Had the rates remained unchanged this normal yearly increase would have gradually offset increased wages. But now normal increase has been changed into a widespread loss of service and revenue.

The causes of the difficulty can and must be removed. Among other things we must—

First. Cut down post-card postage from 2 cents to 1 cent. When the rate was doubled by the act of February 28, 1925, it was estimated by the Post Office Department that a billion post cards would be carried during that fiscal year. It was, indeed, a severe blow to the service when it was discovered that for the fiscal year of 1926, 206,051,432 were carried—just a little over one-fifth of the estimated amount. People would not pay 2 cents to send a picture post card. They would rather do without. Unless the rate is changed to 1 cent, picture post cards will fall into disuse and instead of deriving additional revenue the Government will continue to get a decreasing revenue.

Second. We must reduce the rate of transient second-class matter. This consists of publications handled as second class but mailed by others than the publishers or news agents. The rate formerly was 1 cent for each 4 ounces. It was increased to 2 cents for 2 ounces up to 8 ounces, after which the rates for parcel post applies. For 1926 the loss in volume on this class of mail was 62 per cent and the loss in revenue was more than 37 per cent. Unless we go back to the old rate the people will gradually discontinue this service. It is now too costly.

Third. Data submitted by the Post Office Department indicates a general falling off in business in the third and fourth

classes of about 438,000,000 pieces of mail during each of the last two fiscal years, with consequent loss of revenue. Part of this loss was due to the increased rate on circular matter from 1 cent for each 2 ounces to 1½ cents. The actual loss of this increased rate is difficult to gauge. It is notorious that circular mail increases all other classes of mail. A circular letter often induces an order by mail, and all sorts of business and industry are encouraged thereby, with consequent impetus given to the use of the mails. Furthermore, the 2-cent service charge of fourth-class mail matter should be done away with.

Fourth. The increase on second-class mail has had a far from salutary effect upon the publications of newspapers and magazines. The increased rate on carrying of newspapers and magazines was brought about by the war revenue act of 1917. There were provided four progressive increases, and there were set up eight zone rates for advertising matter. In other words, for example, newspapers had to pay larger rates upon nonadvertising matter, and that rate further depended upon the distance the publication was carried. What has happened with these increasing rates? Instead of using the facilities of the post office the publishers are now shipping by freight, by baggage, by truck, by express, and by busses. The Government is charging more than the traffic can bear. The publishers are desirous of having a restoration of 1920 rates. They are not selfish in this desire. They know that the 1920 rates, which would include approximately one-half of the increase of the present rate over the 1917 rate, would bring back into the Postal Service enormous quantities and tonnage of the publications. This would mean greatly increased revenues to the Government. In 1920 the Post Office Department carried on the advertising sections of second-class publications, subject to the zone rate, 599,098,270 pounds; in 1926 the department carried 551,353,779 pounds—a falling off of almost 48,000,000 pounds. This loss is all the more significant when one considers that there was at least a 33½ per cent increase in newspaper size in the period 1920-1925.

Mr. Louis Wiley, business manager of the New York Times, informs me that because of the unfair levy against second-class publications the paper has been compelled to divert approximately \$500,000 a year to baggage, express, and truck service.

All other war-time taxes and increases have been removed. Aside from the Pullman surcharge, the high rates against newspapers still continues.

Jefferson said:

If left to me to decide which we should have, a government without newspapers or newspapers without a government, I should not hesitate for a moment to prefer the latter.

At another time Jefferson said of the press:

Nature has given to man no other means of sifting out the truth, either in religion, law, or politics.

Should not Congress therefore make the publishing and the spread of newspapers easier? It can do it by lessening the postal rates. As far as I am concerned, I shall do all in my power to influence Congress in that direction. Recently we had a fine example of the notable service to the country rendered by the newspapers. I refer to the Nicaragua imbroglio. The newspapers of the country crystallized public opinion against the flip-flop, namby-pamby policy of the State Department. We can trust the newspapers to whip the State Department into line. I verily believe Congress can shut up shop March 4 and rest safe in the thought that the newspapers can keep us out of war. The press is a great engine of democracy. Not only must we keep it free but we must at all times and in all manners aid and foster its growth. We have an opportunity now to render it service by reducing the cost of service furnished it by the Government.

Fifth: However, to my mind the main flaw in our post-office policy is that we demand that Postal Service users exclusively bear the cost of maintenance of those branches of the service which are free or non-profitable. Anyone who licks a stamp in part pays for the many letters a Congressman sends for nothing. Every time you pay the price of sending a newspaper to a friend in a distant city you help pay the losses due to reduced rates on religious and educational mailing matter. When city dwellers send by parcels post they help make up the deficit resulting from Rural Free Delivery Service.

If a man started business every morning knowing that considerable of his receipts must first be paid to schools, to churches, to charity, and to the Government before he can use a penny, he would, if he were wise, close up shop, or if foolish, continue until bankruptcy forced him to close up. Yet that is the situation concerning the Post Office Department.

The Government must be privileged to send out its mail free but the burden should be universally assumed. Not only should users of the mails, but nonusers, also should pay the

The fiscal year for 1926, total weight of all originating mail was 6,563,957,862 pounds. Of this the following was free and, therefore, the cost thereof was assumed by the users of the mails. The free mail represents 2.8667 per cent of total weight.

	Pounds
Total weight all originating mail-----	6,563,957,862
Free matter:	
Penalty-----	109,741,166
Franked-----	5,224,733
Free for blind-----	1,056,570
Free in county (second class)-----	72,148,574
Total-----	188,171,043

Free mail represents 2.8667 per cent of total weight.

The cost of all franked mail for the fiscal year 1926 was \$544,694. The cost of penalty mail in the same year was \$6,576,257. The usual postal revenue on these two classes of mail at the usual postal rate would have been considerable and would have naturally reduced the cost of running the post office. Free to the blind mail matter cost the Government \$62,042 in that same year. The estimated unofficial cost of free in county second-class mail matter in the fiscal year of 1923 was \$8,146,000. The estimated unofficial cost thereof for 1928 is \$10,770,000. In the fiscal year of 1923 the estimated unofficial loss due to preferential rates on religious and scientific periodicals was \$8,734,000. This loss in 1928 it is estimated unofficially will be \$13,270,000. It is estimated in the fiscal year of 1927 the amount of loss due to added rate for carriage of foreign mails by vessels of American register will be, unofficially, \$1,032,960. To these losses must be added the loss chargeable to public-welfare purposes of the Rural Free Delivery. This loss can not readily be estimated; it is, however, considerable. I therefore am heartily in favor of a bill long advocated by my colleague, Representative JACOBSTEIN, of New York, and now sponsored by Representative KELLY, of Pennsylvania, known as H. R. 13474, which bill is entitled "to declare the future policy of the Post Office Establishment of the United States," and which I set forth in full:

[H. R. 13474, 69th Cong., 2d sess.]

IN THE HOUSE OF REPRESENTATIVES,

December 6, 1926.

Mr. KELLY introduced the following bill; which was referred to the Committee on the Post Office and Post Roads and ordered to be printed:

A bill to declare the future policy of the Post Office Establishment of the United States

Be it enacted, etc., That the Post Office Establishment of the United States is hereby declared to be an agency of the American people for their service and not for profit.

SEC. 2. That compensation of postal employees shall be adequate and just and, together with working conditions, shall be based upon American standards, without regard to postal revenues.

SEC. 3. That postage rates on paid mail matter shall be determined by the cost of the service given such mail matter, exclusive of all free services and public-welfare projects which have been or shall hereafter be adopted in connection with the Postal Service.

SEC. 4. That the amounts expended for the following-named purposes shall not be computed as a charge against postal revenues, but shall be paid from the Treasury of the United States:

(a) Total cost of conveying franked and penalty mail matter, less rental charge at 5 per cent on valuation of all postal quarters owned by the United States Government.

(b) Free to the blind mail matter.

(c) Free in county second-class mail matter.

(d) Amount of loss due to preferential rate on religious, scientific, and other periodicals.

(e) Amount of loss due to added rate for carriage of foreign mail by vessels of American register.

(f) Amount of loss chargeable to public-welfare purpose of the Rural Free Delivery Service, such loss to be computed by subtracting from the total cost of such service the estimated revenues from postage and special service charges on all mail matter originating on such rural free-delivery routes, added to one-half the estimated revenues from postage and special-service charges on all mail matter delivered on such routes.

SEC. 5. That the Postmaster General is hereby directed, in his annual report, to omit the amounts expended for the free services and public-welfare projects as specified in section 4 from the expenditures to be charged against postal revenues and to set forth the surplus or deficit from postal operations during the preceding fiscal year without the inclusion of such free services and public-welfare projects.

LEAVE OF ABSENCE

By unanimous consent, Mr. CRAMTON was granted leave, indefinitely, on account of illness.

ADJOURNMENT

Mr. FUNK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 12 minutes p. m.) the House adjourned until to-morrow, Wednesday, February 2, 1927, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, February 2, 1927, as reported to the floor leader by clerks of the several committees.

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To amend the Federal farm loan act (H. R. 15540).

COMMITTEE ON MINES AND MINING

(10.30 a. m.)

To amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes" approved March 2, 1919, as amended (S. 3641).

COMMITTEE ON THE POST OFFICE AND POST ROADS

(10.30 a. m.)

To declare the future policy of the Post Office Establishment of the United States (H. R. 13474).

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(10.30 a. m.)

To provide for the acquisition of a site and the construction thereon of a fireproof office building or buildings for the House of Representatives (H. R. 9009).

SCHEDULED FOR THURSDAY, FEBRUARY 3, 1927

COMMITTEE ON PATENTS

(10.30 a. m.)

To amend sections 57 and 61 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909 (H. R. 16548).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

917. A communication from the President of the United States, transmitting draft of proposed legislation to extend the availability of the unexpended balance of the appropriation of \$100,000 carried in the second deficiency act approved July 3, 1926, to enable the Chief Executive to continue the litigation to cancel certain leases of oil lands and incidental contracts, and for other purposes (H. Doc. No. 675); to the Committee on Appropriations and ordered to be printed.

918. A letter from the president of the Washington Railway & Electric Co., transmitting report of the City & Suburban Railway of Washington for 10 months ended October 31, 1926; to the Committee on the District of Columbia.

919. A letter from the president of the Washington Railway & Electric Co., transmitting report of the Georgetown & Tenallytown Railway Co. for the 10 months ended October 31, 1926; to the Committee on the District of Columbia.

920. A letter from the president of the Washington Railway & Electric Co., transmitting report of the Washington Interurban Railroad Co. for the year ended December 31, 1926; to the Committee on the District of Columbia.

921. A letter from the president of the Potomac Electric Power Co., transmitting report of the Potomac Electric Power Co. for the year ended December 31, 1926; to the Committee on the District of Columbia.

922. A letter from the president of the Georgetown Gas Light Co., transmitting detailed statement of the business of the Georgetown Gas Light Co., together with a list of stockholders, for the year ended December 31, 1926; to the Committee on the District of Columbia.

923. A letter from the president of the Capital Traction Co., transmitting report of the Capital Traction Co. for the year ended December 31, 1926; to the Committee on the District of Columbia.

924. A letter from the president of the Washington Railway & Electric Co., transmitting report of the Washington Railway & Electric Co. for the year ended December 31, 1926; to the Committee on the District of Columbia.

925. A letter from the president of the Washington Gas Light Co., transmitting a detailed statement of the business of the Washington Gas Light Co., with a list of its stockholders, for the year ended December 31, 1926; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SNELL: Committee on Rules. H. Res. 405. A resolution providing for the consideration of H. R. 15474, a bill to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities; without amendment (Rept. No. 1907). Referred to the House Calendar.

Mr. MACGREGOR: Committee on Accounts. H. Res. 350. A resolution to assist committee investigating government of the District of Columbia (Rept. No. 1908). Ordered to be printed.

Mr. DICKINSON of Iowa: Committee on Appropriations. H. R. 16863. A bill making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1928, and for other purposes; without amendment (Rept. No. 1909). Referred to the Committee of the Whole House on the state of the Union.

Mr. PHILLIPS: Committee on Interstate and Foreign Commerce. H. R. 13485. A bill granting the consent of Congress to the Chesapeake Bay Bridge Co. to construct a bridge across the Chesapeake Bay, from a point in Baltimore County to a point in Kent County, in the State of Maryland; with an amendment (Rept. No. 1910). Referred to the House Calendar.

Mr. PORTER: Committee on Foreign Affairs. H. Con. Res. 43. A concurrent resolution requesting the President to propose the calling of a third Hague conference for the codification of international law; without amendment (Rept. No. 1916). Referred to the House Calendar.

Mr. HOGG: Committee on the Post Office and Post Roads. H. R. 15905. A bill to authorize the Postmaster General to cancel a certain screen-wagon contract, and for other purposes; without amendment (Rept. No. 1917). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. MORROW: Committee on Claims. S. 70. An act for the relief of Charles A. Mayo, T. S. Taylor, and Frank Hickey; with an amendment (Rept. No. 1911). Referred to the Committee of the Whole House.

Mr. WALTERS: Committee on Claims. S. 467. An act for the relief of Joseph B. Tanner; without amendment (Rept. No. 1912). Referred to the Committee of the Whole House.

Mr. WALTERS: Committee on Claims. S. 2242. An act for the relief of Mark J. White; without amendment (Rept. No. 1913). Referred to the Committee of the Whole House.

Mr. VINSON of Kentucky: Committee on Military Affairs. H. R. 15487. A bill to correct the military record of Jordan Kidwell; with amendment (Rept. No. 1914). Referred to the Committee of the Whole House.

Mr. SPEAKS: Committee on Military Affairs. H. R. 15637. A bill for the relief of David Parrett; without amendment (Rept. No. 1915). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 14996) granting an increase of pension to Elizabeth Mulford, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DICKINSON of Iowa: A bill (H. R. 16863) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1928, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. DEMPSEY: A bill (H. R. 16864) to amend the immigration act of 1924; to the Committee on Immigration and Naturalization.

By Mr. HOWARD: A bill (H. R. 16865) granting the consent of Congress to Kansas-Nebraska-Dakota Highway Association to construct a toll bridge across the Missouri River between

the States of Nebraska and South Dakota; to the Committee on Interstate and Foreign Commerce.

By Mr. HOGG: A bill (H. R. 16866) to amend paragraph 768 of the tariff act of 1922; to the Committee on Ways and Means.

By Mr. BLOOM: A bill (H. R. 16867) to prevent the radio broadcasters from charging the public for listening in; to the Committee on the Merchant Marine and Fisheries.

By Mr. KIESS: A bill (H. R. 16868) to clarify and amend existing laws relating to the powers and duties of the auditor for the Philippine Islands, and for other purposes; to the Committee on Insular Affairs.

By Mr. WURZBACH: A bill (H. R. 16869) authorizing the Secretary of War to sell 5,157 square feet of the Fort Brown military reservation, Brownsville, Tex.; to the Committee on Military Affairs.

By Mr. ZIHLMAN (by request of the Commissioners of the District of Columbia): A bill (H. R. 16870) to authorize the Commissioners of the District of Columbia to compromise and settle certain suits at law resulting from the subsidence of First Street east, in the District of Columbia, occasioned by the construction of a railroad tunnel under the said street; to the Committee on the District of Columbia.

By Mr. CHRISTOPHERSON: A bill (H. R. 16871) to authorize per capita payments to the Indians of the Crow Creek Reservation, S. Dak.; to the Committee on Indian Affairs.

By Mr. DYER: A bill (H. R. 16872) to amend the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926; to the Committee on Public Buildings and Grounds.

By Mr. ZIHLMAN (by request of the Commissioners of the District of Columbia): A bill (H. R. 16873) to amend an act entitled "An act to create a juvenile court in and for the District of Columbia"; to the Committee on the District of Columbia.

By Mr. ABERNETHY: A bill (H. R. 16874) relating to the admission of candidates to the Naval Academy; to the Committee on Naval Affairs.

By Mr. LETTS: A bill (H. R. 16875) to amend section 11 of an act entitled "An act to limit the immigration of aliens into the United States, and for other purposes," approved May 26, 1924; to the Committee on Immigration and Naturalization.

By Mrs. ROGERS: A bill (H. R. 16876) to amend the World War veterans act, 1924, as amended; to the Committee on World War Veterans' Legislation.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the Legislature of the State of Washington, urging reapportioning of the membership of the House of Representatives; to the Committee on the Census.

Memorial of the Legislature of the State of Oregon, urging Congress to take legislative action in connection with the improvement, extension, and development of the port and harbor facilities of the city of Portland, Oreg.; to the Committee on Rivers and Harbors.

Memorial of the Legislature of the State of New York, showing the results of question No. 1, in relation to ascertaining the opinion of the people of the State on the prohibition amendment; to the Committee on the Judiciary.

By Mr. THURSTON: Memorial of the Legislature of the State of Iowa, urging enactment of a Federal farm board; to the Committee on Agriculture.

By Mr. CAREW: Memorial of the Legislature of the State of Oregon, investigating the contract for the sale of lumber by the United States to Fred. Herrick; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 16877) granting a pension to Karl E. Osborn; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 16878) for the relief of Charles A. Evans; to the Committee on Military Affairs.

By Mr. MORROW: A bill (H. R. 16879) granting a pension to William Rose; to the Committee on Pensions.

By Mr. RAMSEYER: A bill (H. R. 16880) granting an increase of pension to Frances E. Arie; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 16881) granting an increase of pension to Eva M. Tobin; to the Committee on Invalid Pensions.

By Mr. WURZBACH: A bill (H. R. 16882) granting a pension to Henry J. Steinboemer; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5860. Petition of the Farmer-Labor State Conference of Minnesota, held in St. Paul, January 17 and 18, 1927, favoring the enactment of such legislation on the part of Congress that will restrict the activities of professional speculators in food products, especially wheat; to the Committee on Agriculture.

5861. Petition of the State Conference of Farmer-Labor and other progressive forces of Minnesota, held at St. Paul on the 18th of January, 1927, protesting against course of the State Department, and petition Congress to impeach Frank B. Kellogg for violation of his official trust; to the Committee on Foreign Affairs.

5862. By Mr. AYRES: Petition of citizens of Canton, McPherson County, Kans., in behalf of pension legislation for Civil War veterans and widows; to the Committee on Invalid Pensions.

5863. By Mr. CHINDELOM: Petition of Mrs. Elizabeth Bane, Evanston, Ill., and 72 other citizens of the State of Illinois, urging passage of a bill granting increase of pensions to Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5864. By Mr. CANNON: Petition of E. E. Updike and 27 others, opposing the passage of House bill 10311; to the Committee on the District of Columbia.

5865. By Mr. CHINDELOM: Petition of Ellen E. Barton and four other citizens of Highland Park, Ill., urging passage of a bill granting increases of pension to Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5866. By Mr. CURRY: Petition of residents of Sacramento, Calif., against compulsory Sunday observance; to the Committee on the District of Columbia.

5867. Also, petition of residents of third California district, urging immediate steps be taken to bring to a vote a Civil War pension bill; to the Committee on Invalid Pensions.

5868. By Mr. DAVENPORT: Petition of residents of Rome, N. Y., favoring the enactment of pending legislation increasing pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5869. By Mr. DEMPSEY: Petition of citizens of La Salle, N. Y., urging passage of Civil War pension bill for relief of veterans and widows; to the Committee on Invalid Pensions.

5870. By Mr. DOWELL: Petition of citizens of Melcher, Iowa, urging enactment of legislation increasing pensions of veterans of Civil War and widows of veterans; to the Committee on Invalid Pensions.

5871. By Mr. GARDNER of Indiana: Petition of Fred Samm and 28 other citizens of New Albany, Floyd County, Ind., opposing the passage of the compulsory Sunday observance bill (H. R. 10311); to the Committee on the District of Columbia.

5872. By Mr. GIBSON: Petition of citizens of Royalton, Vt., urging legislation for relief of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

5873. Also, petition of citizens of Woodbury, Vt., favoring legislation for the relief of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

5874. By Mr. HAUGEN: Petition of 45 voters of Randall, Iowa, urging that immediate steps be taken to bring to a vote a Civil War pension bill for the relief of suffering veterans and widows of veterans; to the Committee on Invalid Pensions.

5875. By Mr. HICKEY: Petition of Mrs. H. C. Cummings and other citizens of La Porte, Ind., urging the passage of a bill increasing the pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5876. By Mr. HOWARD: Petition in behalf of Mr. L. Stolpe and 40 others, of Obert, Nebr., protesting against the Reed amendments to the immigration restriction law; to the Committee on Immigration and Naturalization.

5877. By Mr. HUDSON: Petition of citizens of the sixth congressional district of Michigan, urging relief for the veterans of the Civil War and widows and a greater pension; to the Committee on Invalid Pensions.

5878. Also, petition of citizens of Flint, Mich., urging the passage of House bill 10311, known as the Sunday rest bill; to the Committee on the District of Columbia.

5879. By Mr. JOHNSON of Washington: Petition of citizens of the State of Washington in opposition to the Sunday observance legislation; to the Committee on the District of Columbia.

5880. Also, petition of citizens of Vaughn, Wash., in re-increased pensions for veterans of the Civil War; to the Committee on Invalid Pensions.

5881. By Mr. KINDRED: Petition of the College Women's Club of Jackson Heights, Long Island, N. Y., expressing its approval of the World Court resolution as passed last year by the United States Senate and urging the United States Congress to adhere to this resolution; to the Committee on Foreign Affairs.

5882. By Mr. LOZIER: Petition of numerous citizens of Trenton, Mo., petitioning Congress to enact certain proposed pension legislation; to the Committee on Invalid Pensions.

5883. Also, petition of numerous citizens of Brookfield, Mo., petitioning Congress to enact certain proposed pension legislation; to the Committee on Invalid Pensions.

5884. Also, petition of numerous citizens of Galt, Mo., petitioning Congress to enact certain proposed pension legislation; to the Committee on Invalid Pensions.

5885. By Mr. McLAUGHLIN of Michigan: Petitions of Mrs. Olive Eddlemen and citizens of Chase, Mich., for the enactment of pending legislation providing increase of pensions of veterans of the Civil War and widows of veterans; also Mrs. R. B. Gannon and citizens of Marilla, Mich., for the enactment of pending legislation providing increase of pensions of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

5886. By Mr. MAGEE of New York: Petitions of residents of Syracuse, N. Y., in favor of House bill 13450, providing increased pensions for veterans of the Civil War and their dependents; to the Committee on Invalid Pensions.

5887. By Mr. MAGRADY: Petition of numerous citizens of Mount Carmel, Northumberland County, Pa., urging the early enactment of Civil War pension bill providing pensions and increase of pensions for veterans and widows; to the Committee on Invalid Pensions.

5888. Also, petition of numerous citizens of Berwick, Columbia County, Pa., urging the early enactment of Civil War pension bill providing pensions and increase of pensions for veterans and widows; to the Committee on Invalid Pensions.

5889. By Mr. MAPES: Petition of 32 citizens of Grand Rapids, Mich., advocating the enactment by Congress of additional legislation for the benefit of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

5890. By Mr. MARTIN of Massachusetts: Petition of citizens of Fall River, Mass., urging early enactment of legislation increasing pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5891. By Mr. MILLIGAN: Petition of citizens of De Kalb County, Mo., urging consideration of the Civil War pension bill; to the Committee on Invalid Pensions.

5892. By Mr. MORROW: Petition of citizens of Dexter, N. Mex., indorsing Civil War veterans' and widows legislation; to the Committee on Invalid Pensions.

5893. Also, petition of citizens of Mountainair, N. Mex., indorsing legislation for Civil War veterans and widows; to the Committee on Invalid Pensions.

5894. Also, petition of citizens of Farmington, N. Mex., pleading for peace with Mexico and Latin-American Republics; to the Committee on Foreign Affairs.

5895. By Mr. MURPHY: Petition by residents of East Liverpool, Ohio, favoring the enactment of Sunday rest bill for the District of Columbia (H. R. 10311); to the Committee on the District of Columbia.

5896. Also, resolution by the United Presbyterian congregation of Cadiz, Ohio, favoring the enactment of Sunday rest bill for the District of Columbia (H. R. 10311); to the Committee on the District of Columbia.

5897. Also, petition by voters of East Liverpool, Ohio, urging that legislation be enacted offering relief to the veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

5898. By Mr. NEWTON of Minnesota: Resolution by the Central Labor Union of Minneapolis, calling upon the Government of the United States to withdraw the armed forces from Nicaragua and negotiate by peaceful means the settlement of all problems with Mexico; to the Committee on Foreign Affairs.

5899. By Mr. OLDFIELD: Petition of citizens of Prairie County, Ark., urging the passage of House bill 13450; to the Committee on Invalid Pensions.

5900. By Mrs. ROGERS: Petition of Phyllis I. Duval and 100 other citizens of Lowell, Mass., to extend further relief to veterans and widows of veterans of the Civil War; to the Committee on Invalid Pensions.

5901. By Mr. ROWBOTTOM: Petition of Missouri J. Barr, J. E. Fisher, and others, of Evansville, Ind., that the bill granting an increase of pension to Civil War widows be enacted into law at this session of Congress; to the Committee on Invalid Pensions.

5902. By Mr. SHREVE: Petition from citizens of Erie, Pa., for the passage of the pension bill granting increase in pensions to Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5903. Also, petition from citizens of Conneautville, for the passage of the pension bill granting increase in pensions to Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5904. By Mr. SINNOTT: Petition of certain citizens of Milton, Oreg., requesting further relief for veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

5905. By Mr. STRONG of Kansas: Petition of citizens of Abilene, Kans., urging passage of legislation providing increase of pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5906. Also, petition of voters of Salina, Kans., urging passage of legislation providing increase of pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5907. By Mr. STRONG of Pennsylvania: Petition of citizens of Indiana, Pa., praying for immediate passage of a pension bill for the relief of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5908. By Mr. SUMMERS of Washington: Petition signed by H. C. Hood and 27 others, of Garfield, Wash., urging early action on the Civil War pension bill now pending; to the Committee on Invalid Pensions.

5909. By Mr. SWARTZ: Petition of Anzella Dodd, Charles A. Long, and others of Dauphin County, Pa., favoring pension legislation for the relief of veterans of the Civil War and widows of veterans of said war; to the Committee on Invalid Pensions.

5910. Also, petition of William F. Conner, Emma Crumm, and others, of Harrisburg, Pa., favoring pension legislation for the relief of veterans of the Civil War and widows of said war; to the Committee on Invalid Pensions.

5911. Also, petition of William F. Thompson and others of Camp Hill, Pa., favoring Civil War pension legislation; to the Committee on Invalid Pensions.

5912. By Mr. THATCHER: Petition of Marah Green of Louisville, Ky., for early enactment of legislation for the relief of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5913. By Mr. THOMPSON: Memorial of 50 citizens of Putnam County, Ohio, urging a bill to increase rates of Civil War pensions; to the Committee on Invalid Pensions.

5914. By Mr. THURSTON: Petition of citizens of Lorimor, Union County, Iowa, relating to the political situation in Mexico and Nicaragua; to the Committee on Foreign Affairs.

5915. By Mr. TOLLEY: Petition of 56 citizens of Binghampton and Johnson City, N. Y., for liberalization of the Civil War pension laws; to the Committee on Invalid Pensions.

5916. By Mr. WEAVER: Petition of citizens of Henderson County, N. C., in regard to pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5917. By Mr. ZIHLMAN: Petition of citizens of Brunswick, Md., urging immediate action and support of the Civil War pension bill to afford relief to needy veterans and widows of veterans; to the Committee on Invalid Pensions.

SENATE

WEDNESDAY, February 2, 1927

(Legislative day of Tuesday, February 1, 1927)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names: